

APPENDIX E19
PROOF OF COMMENTS AND RESPONSE

PART 2 OF 2

ABRIE HANEKOM
ANDREW SOURIS
ANNE WILSON
ARAGEA HOLLAND-FREDERICKS
BOB HARTSLIEF
CINDY ABOUD
CHRIS CAMPBELL
CRAIG RICHARDSON
DIANE STEVENS
DUAN JACOBS
FRANS VAN DER MERWE
GALLIE VAN RENSBURG
GAVIN ABOUD
HANLIE STANDER
ISMAIL EBRAHIM ABDULLAH
GERHARD & JACQUES VAN RENSBURG
LIZ JANSE VAN RENSBURG
MCEBO MKHATSHWA
MAGDA RIJKSEN

MANFRED MUELL
MARIANNE BILSLAND
MARIETTE LIEFFERINK
MARTIN STRUWIG
MICHAEL GAADE
NARDUS BUYS
PAUL FOULKES
PAUL KGOLE
RENEE HARTSLIEF
SEAN HUNTER & HEATHER UBSDELL
STEPHAN FICK
VERONICA WITHERS
WARRIN FLORES
YVONNE SOURIS
YUSUF DADABHAY
VAL DE BRUYN

MANFRED MUELL

Marlene Lingenfelder

From: Sonette Smit
Sent: 01 April 2021 10:53 AM
To: 'Brian Macgregor (Secretary)'; Goosebay Canyon Farm; Ilse Dicks; Marlene Lingenfelder; mdvldc (mdvldc@vldc.co.za); Michael Cocks; Peter Roux; Robert Schimpers; VLDC Secretary; Zoe Norwal
Subject: FW: Pure Source Mine

Good day,

Please see below.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

Unit MO1, No 37 AECI site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Manfred Muell [mailto:manfred.muell@scientrix.com]
Sent: Thursday, April 1, 2021 10:48 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: ismail@romabricks.co.za; Yusuf Dadabhay <YusufD@plazaboard.co.za>; Danie van Rensburg <danie@expectra265.co.za>; Rentia Muell <rentia.muell@scientrix.com>
Subject: Fwd: Pure Source Mine

Dear Sonette,

As per Ismail's email below, kindly register myself and my wife Rentia as an interested and affected party in relation to the proposed Pure Source Mine.

Kindly note that we also wish to be informed of all developments in relation to this project, including but not limited to being invited to the virtual public participation meeting.

Name: **Manfred Hermann Muell**

Contact Details: manfred.muell@scientrix.com m: 079 491 1954

Name: **Emmerentia Muell**

Contact Details: rentia.muell@scientrix.com m: 079 491 1940

Reason for interest: landowner of plot opposite the proposed project

Issues or concerns: our non-exhaustive concerns (which we reserve the right to expand on in greater detail at a later stage) include: environmental and ecological degradation along the Vaal river system in respect of both the environment and wildlife that exists (which will compound existing environmental trauma to the river system), property devaluation along the river way as a result of mining activities, noise, dust pollution, nuisance and diminishment of enjoyment of our properties.

Kind Regards
Manfred Muell
m: 079 491 1954
e: manfred.muell@scientrix.com

----- Forwarded message -----

From: **Ismail Roma Bricks** <ismail@romabricks.co.za>
Date: Wed, Mar 31, 2021 at 8:25 PM
Subject: Pure Source Mine
To: <sonette.s@greenmined.co.za>
Cc: Manfred Muell <manfred.muell@scientrix.com>, <yusufD@plazaboard.co.za>

Good Day Sonette

I wish to register as an interested and affected party in relation to the proposed Pure Source Mine. Kindly note that I wish to be informed of all developments in relation to this project, including but not limited to being invited to the virtual public participation meeting.

Name: Ismail Ebrahim Abdullah

Contact Details: ismail@romabricks.co.za / 082 317 0154

Reason for interest: landowner of plot opposite the proposed project

Issues or concerns: my non-exhaustive concerns (which I reserve the right to expand on in greater detail at a later stage) include: environmental and ecological degradation along the Vaal river system in respect of both the environment and wildlife that exists (which will compound existing environmental trauma to the river system), property devaluation along the river way as a result of mining activities, noise, dust pollution, nuisance and diminishment of enjoyment of my property.

I have copied in neighbouring landowners Yusuf Dadabhay and Manfred Muell who also wish to register as I&AP's. Kindly register these individuals as well, they will revert with further contact information shortly.

Marlene Lingenfelder

From: Sonette Smit
Sent: 01 April 2021 11:39 AM
To: Manfred Muell
Cc: ismail@romabricks.co.za; Yusuf Dadabhay; Danie van Rensburg; Rentia Muell; Marlene Lingenfelder
Subject: RE: Pure Source Mine

Good day Manfred Hermann Muell and Emmerentia Muell

MCCP DEIAR Notification – Meeting registration.

1. We refer to your email dated **1 April, 2021 10:48 AM** as well as the email received from Ismail Ebrahim Abdullah on **31 March, 2021 8:26 PM**
2. You were registered by Mr Abdullah for the public participation meeting to be held on 10 April 2021 for the above mentioned project. Please note that the registration period for the public participation meeting is now closed.
3. A link to the meeting will be send to you in due course.

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

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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Fax: 086 546 0579
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"the goal isn't to live forever, it is to protect a planet that will"

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Sent: Thursday, April 1, 2021 10:48 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: ismail@romabricks.co.za; Yusuf Dadabhay <YusufD@plazaboard.co.za>; Danie van Rensburg <danie@expectra265.co.za>; Rentia Muell <rentia.muell@scientrix.com>
Subject: Fwd: Pure Source Mine

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As per Ismail's email below, kindly register myself and my wife Rentia as an interested and affected party in relation to the proposed Pure Source Mine.
Kindly note that we also wish to be informed of all developments in relation to this project, including but not limited to being invited to the virtual public participation meeting.

MARIANNE BILSLAND

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 10:29 AM
To: Marlene Lingenfelder
Subject: FW: Monte Christo Commercial Park Draft Environmental Impact Assessment Report Notification

From: Marianne Bilsland [<mailto:marianne@fixeng.co.za>]
Sent: Tuesday, April 6, 2021 1:32 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>
Cc: 'Mariette Liefferink' <mariette@pea.org.za>; 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Bob' <bobh@dullies.com>; 'Chris' <chrisc@cesa.co.za>; 'Craig' <craigrichardson100@gmail.com>; 'Dina' <dina.henstock@gmail.com>; 'liz' <liz.tuux@gmail.com>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Pieter' <pieter.hattingh@sibanyestillwater.com>; 'Renee' <renee@bundunet.com>; 'warrin' <warrinf@gmail.com>; Marlene Lingenfelder <admin@greenmined.co.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; Candys (Vaaloewer) <candyz@iafrica.com>; Di Stevens (Vaaloewer) <edstevens@telkomsa.net>; heatherkate63@gmail.com
Subject: RE: Monte Christo Commercial Park Draft Environmental Impact Assessment Report Notification

Good day Sonette

Please be advised that I am unable to attend the public participation meeting on 10th April 2021 due to a conflicting meeting for Sweet Sensations Mining focus meeting.

It needs to be placed on record that I have only become aware of the Greenminded Environmental meeting, by being ccd on an email sent to you by Gavin Aboud which I received **TODAY (06/0/2021)**.

Your email dtd 19/03/2021 was sent to my junk mail and I have no doubt that this was the case for many I&APs due to the wording you have used in your email subject AND explains why only 2 objections were received to your proposed meeting.

I am emotionally drained by having to justify why my wellbeing and property will be adversely affected by mining operations and I strongly object to the amount of time and effort to which I am subjected, in order to protect my rights as per Section 2(h) of the MPRDA.

At this stage I am of the opinion that various underhand tactics are used to ensure that I&APs are **not aware of correspondence**:

- The public participation for the previous application for this mine received an unprecedented amount of vociferous objections and I put it to you that by using word **DEIAR** in the subject, you were well aware that it could be classified as Junk mail and therefore many I&APs would not be aware of this email.
- emails are sent on Friday afternoon just before 16h00.
- Having only 1 option of a date and time for a public participation meeting is a guaranteed method of excluding many I&APs
- Using mailchimp as a bulk email sending portal gives the sender a report on whether a recipient read the email.
Therefore, how many of the I&APs **read** the email before the required date of 31/03/2021 in order to reply?
- By using mailchimp I, as the recipient, am unable to connect to the link to connect to the website as stated in your email.
- Since 2014 this particular mining project has various names and acronyms in pursuing the mining right and/or addendum thereof:
 - SAND MINNING - WOODLANDS/ PARYS DISTRICT
 - Woodlands Farm
 - Goosebay Mining Project
 - Pure Source Mine
 - Monte Cristo Commercial Park (Pty) Ltd

- MCCP
- DEIAR
- Your company, at the very least, is the third environmental company that I am aware of that is again attempting to obtain approval of this mining right.
- The COVID pandemic is becoming a convenient excuse to not follow pre COVID public participation protocol.

Greenmined Environmental is well aware of the objection to mining in our area with your involvement in the Tja Naledi mining right, and the continual onslaught by your company to justify mining without any benefit to surrounding communities makes a mockery of your slogan 'the goal isn't to live forever, it is to protect a planet that will'

Kindly ensure that I **personally** receive the revised date and time of the rescheduled date for the public participation meeting.

Regards

Marianne Bilsland

0824148609

From: Sonette <sonette.s@greenmined.co.za>
Sent: Friday, 19 March 2021 4:16 PM
To: Marianne Bilsland <marianne@fixeng.co.za>
Subject: MCCP DEIAR Notification

Marlene Lingenfelder

From: Sonette Smit
Sent: 12 April 2021 08:11 PM
Subject: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd (“MCCP”) Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs, MCCP has arranged **Meetings on Saturday 17 April 2021**, which I&APs will be able to attend either Virtually, or Physically, subject to what is set out in detail hereunder.
 - 1.1 Participants attending the Meetings Virtually will be able to interact with participants attending the Meetings Physically, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator.
 - 1.2 Participants attending the Meetings Physically will be able to interact with participants attending the Meetings Virtually, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator, since the Physical Meeting will be livestreamed to Virtual Meeting Participants.
 - 1.3 **I&APs are respectfully requested to advise, whether they will be attending the Meetings, Virtually or Physically, and at what times.**

Zoom Virtual Public Participation Meeting

2. In the event that you wish to attend either meeting Virtually, please find herewith the Zoom links to the **Virtual Public Participation Meetings** to be held on **17 April 2021** to discuss the **Draft Environmental Impact Assessment Report (“DEIAR”)** and **Environmental Management Programme (“EMPR”)** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Kindly confirm which one of the two (2) Virtual Meetings you would like to attend:

Meeting 1

Date: Saturday 17 April 2021

Time: 07h00-9h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 07:00 AM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/97205183467?pwd=ck00UHFuR0lYTUpENnQxSkVKYjhlZz09>

Meeting ID: 972 0518 3467

Passcode: 383153

One tap mobile

+27214268191,,97205183467# South Africa

+27875503946,,97205183467# South Africa

Meeting 2

Date: Saturday 17 April 2021

Time: 13h00-15h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 01:00 PM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/95708237905?pwd=V29NNFF1bkq2NktKc3ZRWGZMQjIRZz09>

Meeting ID: 957 0823 7905

Passcode: 348742

One tap mobile

+27875517702,,95708237905# South Africa

+27214268190,,95708237905# South Africa

3. Please ensure

3.1 You are online and connected 10 minutes before the meeting starts.

3.2 You have the most recent version of Zoom, as with an older version you may have connection or audio/video issues and be unable to participate effectively or at all.

3.3 That the device you are logging in with has a registered name to permit access.

Physical Public Participation Meeting – Eden Manor situate at Plots 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road).

4. In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the **17 April 2021** Physically at the following times, at the location set out hereunder:
 - 4.1 **7:00 – 9:00** – **Eden Manor** situate at **Plots1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
 - 4.2 **13:00 – 15:00** – **Eden Manor** situate at **Plats 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
5. The arrangement for Qualifying I&APs to attend the **Meetings** on **17 April 2021** Physically has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi. Accordingly:
 - 5.1 Please do not attend the Meetings Physically, if you are able to attend any of the **meetings Virtually**.
 - 5.2 Please note that this request, is to provide an opportunity specifically for those I&AP's, who do not have access to the above mentioned resources (as set out more fully in clause 2 above), to participate in the process, and not be excluded due to a lack of resources.

5.3 It is intended that the ability of I&APs to attend the meetings be held on **17 April 2021** (as set out above) Physically will enable said I&AP's, to participate in the public consultation and information provision process. (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

6. We thank you in advance for your cooperation, look forward to interacting with you.

7. If you are experiencing problems on the day, please be kind enough to send a message via **WHATSAPP to 084 585 5706**, as we will be unable to take calls while administering a meeting.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

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

Sonette Smit

From: Sonette Smit
Sent: Sunday, April 25, 2021 9:24 PM
To: Marianne Bilsland
Cc: Marlene Lingenfelder
Subject: FW: BILSLAND - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation
Attachments: Transcript 10 April 2021 Public Participation Meeting.pdf; Transcript 17 April 2021 Public Participation Meeting.pdf

Tracking:	Recipient	Delivery	Read
	Marianne Bilsland		
	Marlene Lingenfelder	Delivered: 4/25/2021 10:32 PM	Read: 4/25/2021 10:31 PM
	VLDC Secretary		

Dear Me. Bilsland,

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

1. The abovementioned matter and your email, dated **21 April 2021 14:51 PM**, as set out below, refer.
2. We hereby respond *ad seriatim* in **red font** to the unnumbered paragraphs of your abovementioned email, as set out below:

"I attended the 2nd PPM on 17/04/2021 via Zoom."

2.1. We would like to thank you for attending the virtual public participation meeting on 17 April 2021 at 13:00.

"The 2 hr time allocation for the PPM was totally inadequate. This application has wide ranging and potentially devastating consequences for me and many other I&APs.

It leads me to assume that I&APs not opposed to the application are given preference to those opposing."

2.2. We take note of your comment that the 2 hour time allocation for the meeting was inadequate, however it should be noted that due to numerous questions and interaction with I&APs and the specialists, the time allocated was extended to make provision for all I&APs to raise their comments and concerns.

2.3. We trust that you will appreciate that we cannot anticipate and cater for every outcome of a Public Participation Meeting. In this regard, and by way of example, a Public Participation Meeting was held by us on 10 April 2021, which was concluded in approximately 2 hours.

"As a layman I cannot be expected to peruse and understand the vast amount of documents that are pertinent to this application.

I would assume that the PPM should be the forum to answer my and other I&APs concerns?

I have several queries and points that require clarification and have not been able to address or gain clarification on these."

2.4. We note from your aforementioned correspondence that you have several queries that need clarification. However, we further note that no such queries are set out in your correspondence, and we are accordingly unable to include same in the Final Environmental Impact Assessment Report.

- 2.5. In the event that you have any queries, please provide same to us. If appropriate, we shall respond accordingly and include your queries as an Appendix to the Final Environmental Impact Assessment Report for submission to the competent authority.

“The 30 day period for I&APs to comment is insufficient time, considering it is usually lay people questioning ‘expert’ opinion.

In addition, the ‘experts’ are able to solely focus on the matter at hand where I am required to fit this into my existing schedule.”

- 2.6. The 30 day commenting period is prescribed by Statute. We have no discretion in this matter. Furthermore, we are unable to comment on the utility and exigencies of your “existing schedule”.

“Sweet Sensations Mine was granted their Mining Right/Licence without any public participation from Vaaloewer. This is fact - I purchased my property in 2007 and the Right/Licence was granted in 2016. As I will, again, be directly affected by the granting of this mining right, I have to ascertain exactly how I will be affected.”

- 2.7. Furthermore, we note your comment that Sweet Sensations has a mining right and that you are of the opinion that no public participation was conducted.
- 2.8. Please note that MCCP is in no way affiliated with Sweet Sensations, and that this application by MCCP is a separate application;
- 2.9. In the circumstances, we cannot comment as to the process followed by Sweet Sensations in obtaining its mining right. In similar vein we cannot comment on the actions which you propose to take.

“The minutes for the PPM I attended on Saturday have not been made available, so I do not know whether some of my queries were answered.

Participants commented verbally and in the chatbox by typing their comments – are the typed comments included in the meeting transcript?”

- 2.10. Please note that the transcriptions of the meetings held on **10 April 2021** and **17 April 2021** have already been made available to all registered I&APs, which transcription also includes typed comments made during the meeting. We nevertheless, again attach same hereto, for ease of reference.

“There are PPMs arranged for today, 21/04/2021, and 24/04/2021, yet comments to be included in the EIA are to be received by your office no later than 22/04/2021? This date timeline is questionable.

I cannot attend the meetings for the 21st and 24th, this in no way indicates an apathy or disinterest on my part. It is vital for I&APs to have all PPM transcripts available before final submission to the DMR.”

- 2.11. It is important to note, due to requests made by specific I&APs, that the Public Participation Meetings to be held on **24 April 2021** at the Barrage and Lindequesdrift informal settlements are solely for the purpose of informing the community members, who have access to neither computers nor WIFI and were therefore unable to participate in previous meetings, of this project, as well as to provide such I&APs with an opportunity raise their queries and concerns;
- 2.12. We confirm that, notwithstanding the fact that the 30 day Public Participation Process period concludes on **22 April 2021**, in an effort to provide all I&APs with an opportunity to engage with us, we will include the comments and queries raised by the I&APs that attend the aforesaid meetings on **24 April 2021** in the final report to be submitted;
- 2.13. We further confirm that your comments below, as well as all comments, queries, and objections received from I&APs during all the Public Participation Meetings, whether physical or virtual, will be included into the final report for submission to the competent authority.

3. We once again thank you for your participation in this process.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

From: Marianne Bilslund [<mailto:marianne@fixeng.co.za>]

Sent: Wednesday, April 21, 2021 2:51 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: 'Mariette Liefferink' <mariette@pea.org.za>; 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Bob' <bobh@dullies.com>; 'Chris' <chris@cesa.co.za>; 'Craig' <craigrichardson100@gmail.com>; 'Dina' <dina.henstock@gmail.com>; 'liz' <liz.tuux@gmail.com>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Pieter' <pieter.hattingh@sibanyestillwater.com>; 'Renee' <renee@bundunet.com>; 'warrin' <warrinf@gmail.com>; Marlene Lingenfelder <admin@greenmined.co.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; Candys (Vaaloewer) <candyz@iafrica.com>; Di Stevens (Vaaloewer) <edstevens@telkomsa.net>; heatherkate63@gmail.com; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; Kalipa Kewuti <Kalipa.Kewuti@dmre.gov.za>; Marlene Lingenfelder <admin@greenmined.co.za>

Subject: RE: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Good day Sonette

I attended the 2nd PPM on 17/04/2021 via Zoom.

Please ensure that the following remarks are included with your submittal to the DMR:

- The 2 hr time allocation for the PPM was totally inadequate. This application has wide ranging and potentially devastating consequences for me and many other I&APs. It leads me to assume that I&APs not opposed to the application are given preference to those opposing.
- As a layman I cannot be expected to peruse and understand the vast amount of documents that are pertinent to this application. I would assume that the PPM should be the forum to answer my and other I&APs concerns? I have several queries and points that require clarification and have not been able to address or gain clarification on these.
- The 30 day period for I&APs to comment is insufficient time, considering it is usually lay people questioning 'expert' opinion. In addition, the 'experts' are able to solely focus on the matter at hand where I am required to fit this into my existing schedule.
- Sweet Sensations Mine was granted their Mining Right/Licence without any public participation from Vaaloewer. This is fact - I purchased my property in 2007 and the Right/Licence was granted in 2016. As I will, again, be directly affected by the granting of this mining right, I have to ascertain exactly how I will be affected.
- The minutes for the PPM I attended on Saturday have not been made available, so I do not know whether some of my queries were answered. Participants commented verbally and in the chatbox by typing their comments – are the typed comments included in the meeting transcript?
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MARIETTE LIEFFERINK

Marlene Lingenfelder

From: Mariette Liefferink <mariette@pea.org.za>
Sent: 06 April 2021 12:17 PM
To: Sonette Smit
Cc: 'Abrie Hanekom Vaaloewer'; 'Chris'; 'Craig'; 'Dina'; 'liz'; 'Louis Kruger'; 'Pieter'; 'Renee'; 'warrin'; Marlene Lingenfelder; 'Martin Struwig'; 'Gavin Aboud'; 'Philip Hartsliet'
Subject: RE: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION - PUBLIC PARTICIPATION MEETING 10 APRIL 2021

Dear Sonette,

I refer to the subjoined correspondence and our recent telephonic discussion. I also refer to the subjoined e-mail, dated the 29th of March 2021 in which the FSE's registration as interested and affected party is confirmed.

Our response to the matter of MCCP's and Sweet Sensations Vaal Sands' meetings proposed to be held on the 10th of April, 2021 is regrettably belated due to the overwhelming large number of mining and prospecting applications the FSE is receiving daily and the number of public participation meetings in which the FSE is participating.

The FSE has confirmed its participation in Digby Wells Environmental's meeting on the 10th instant. It will disallow us from participating in the MCCP meeting on the same day. We therefore welcome the invitation to the MMCP's virtual meeting on the 17th instant. We hereby confirm our participation in MCCP's virtual meeting on the 17th instant.

Allow me please to reply to your response to Messrs Aboud's and Struwig's comments since I was copied on the correspondence. As you may reflect, the entitlements which flow from a prospecting and mining right are far-reaching, and the consent of affected parties - and in the matter under consideration, adjacent landowners - is not required. This of course results in power asymmetry and the psychological dynamics of this power asymmetry ought to be recognised by an EAP. An independent EAP ought to tap into synergetic power (power that comes from cooperating).

The law makes provision, however, for balancing mechanisms. One of the most important of these is the public participation process. I think we are agreed that the EIA process must ensure free, prior and informed consultation with affected parties and facilitate their informed participation. Of relevance in this regard is the importance financial institutions also place on companies through guidelines such as the equator principles. Principle 5 of the equator principles requires that project developers consult with affected communities in a structure and culturally appropriate way.

Consideration ought furthermore to be given by an EAP to the ongoing impacts that current sand mining operations are having on residents of Vaal Oewer such as dust fallout, noise, visual impacts and scenic quality (sense of place), increased traffic (trucks), devaluation of property, etc. As a consequence, the well-being of the residents of Vaal Oewer is being threatened.

I think it is relevant to also refer to the case of *Director: Mineral Development Gauteng Region and another v. Save the Vaal Environment and others* 1999 (2) SA 709 (SCA) at 715C where the Supreme Court of Appeals with regard to a proposed mine next to the Vaal River, identified as an environmental concern the "...predicted constant noise, light, dust and water pollution resulting from the proposed strip mine will totally destroy the 'sense of place' of the wetland and the associated Cloudy Creek. Thus the spiritual, aesthetic and therapeutic qualities associated with this area will also be eliminated." It can be anticipated that MCCP's proposed mining operations will introduce the same impacts upon the residents of Vaal

Oewer. The current impacts and foreseeable impacts of sand mining within Vaal Oewer would understandably and undoubtedly solicit strong emotions. Emotions need to be paid due attention.

It is the FSE's respectful, albeit considered opinion, that an EAP should understand the fears and concerns of affected parties. Such understanding will enhance the prospect for successful consultation with IAPs.

SUBJOINED

From: Sonette Smit <Sonette.S@greenmined.co.za>
Sent: 29 March 2021 04:49 PM **To:** mariette@pea.org.za
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: MCCP DEIAR Notification

Good day Mariette,

MCCP DEIAR Notification

1. Please find the notification as send on the 19th of March 2021 as requested telephonically, also see the link for the documentation below for your convenience.

<https://www.greenmined.com/environmental-impact-assessments/>

2. You are hereby registered for the public participation meeting on the 10th of April 2021 and will receive details hereof as soon as it is available.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director

Best Regards
Mariette Liefferink
CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT
TEL. (+27) 11 465 6910
(+27) 73 231 4893
Postnet Suite #113, Private Bag X153, Bryanston, 2021
E-MAIL: mariette@pea.org.za

From: Philip Hartsliet <bobh@dullies.com>
Sent: 06 April 2021 08:08 AM
To: Gavin Aboud <gavinaboud@vodamail.co.za>
Cc: Sonette Smit <Sonette.S@greenmined.co.za>; Mariette Liefferink <mariette@pea.org.za>; Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Chris <chrisc@cesa.co.za>; Craig <craigrichardson100@gmail.com>; Dina <dina.henstock@gmail.com>; liz <liz.tuxx@gmail.com>; Louis Kruger <krugerskroon@gmail.com>; Pieter <pieter.hattingh@sibanyestillwater.com>; Renee <renee@bundunet.com>; warrin <warrinf@gmail.com>; Marlene Lingenfelder <admin@greenmined.co.za>; Martin Struwig <martin.vaaloewer@vodamail.co.za>
Subject: Re: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION - PUBLIC PARTICIPATION MEETING 10 APRIL 2021

Morning Sonette
I will attend on 17th.
Thanks
BobH

Marlene Lingenfelder

From: Sonette Smit
Sent: 12 April 2021 08:11 PM
Subject: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd (“MCCP”) Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs, MCCP has arranged **Meetings on Saturday 17 April 2021**, which I&APs will be able to attend either Virtually, or Physically, subject to what is set out in detail hereunder.
 - 1.1 Participants attending the Meetings Virtually will be able to interact with participants attending the Meetings Physically, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator.
 - 1.2 Participants attending the Meetings Physically will be able to interact with participants attending the Meetings Virtually, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator, since the Physical Meeting will be livestreamed to Virtual Meeting Participants.
 - 1.3 **I&APs are respectfully requested to advise, whether they will be attending the Meetings, Virtually or Physically, and at what times.**

Zoom Virtual Public Participation Meeting

2. In the event that you wish to attend either meeting Virtually, please find herewith the Zoom links to the **Virtual Public Participation Meetings** to be held on **17 April 2021** to discuss the **Draft Environmental Impact Assessment Report (“DEIAR”)** and **Environmental Management Programme (“EMPR”)** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Kindly confirm which one of the two (2) Virtual Meetings you would like to attend:

Meeting 1

Date: Saturday 17 April 2021

Time: 07h00-9h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 07:00 AM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/97205183467?pwd=ck00UHFuR0lYTUpENnQxSkVKYjhlZz09>

Meeting ID: 972 0518 3467

Passcode: 383153

One tap mobile

+27214268191,,97205183467# South Africa

+27875503946,,97205183467# South Africa

Meeting 2

Date: Saturday 17 April 2021

Time: 13h00-15h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 01:00 PM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/95708237905?pwd=V29NNFF1bkq2NktKc3ZRWGZMQjIRZz09>

Meeting ID: 957 0823 7905

Passcode: 348742

One tap mobile

+27875517702,,95708237905# South Africa

+27214268190,,95708237905# South Africa

3. Please ensure

3.1 You are online and connected 10 minutes before the meeting starts.

3.2 You have the most recent version of Zoom, as with an older version you may have connection or audio/video issues and be unable to participate effectively or at all.

3.3 That the device you are logging in with has a registered name to permit access.

Physical Public Participation Meeting – Eden Manor situate at Plots 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road).

4. In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the **17 April 2021** Physically at the following times, at the location set out hereunder:
 - 4.1 **7:00 – 9:00** – **Eden Manor** situate at **Plots1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
 - 4.2 **13:00 – 15:00** – **Eden Manor** situate at **Plats 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
5. The arrangement for Qualifying I&APs to attend the **Meetings** on **17 April 2021** Physically has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi. Accordingly:
 - 5.1 Please do not attend the Meetings Physically, if you are able to attend any of the **meetings Virtually**.
 - 5.2 Please note that this request, is to provide an opportunity specifically for those I&AP's, who do not have access to the above mentioned resources (as set out more fully in clause 2 above), to participate in the process, and not be excluded due to a lack of resources.

5.3 It is intended that the ability of I&APs to attend the meetings be held on **17 April 2021** (as set out above) Physically will enable said I&AP's, to participate in the public consultation and information provision process. (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

6. We thank you in advance for your cooperation, look forward to interacting with you.

7. If you are experiencing problems on the day, please be kind enough to send a message via **WHATSAPP to 084 585 5706**, as we will be unable to take calls while administering a meeting.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

www.greenmined.com

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 11:35 AM
To: Marlene Lingenfelder
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

From: Sonette Smit
Sent: Tuesday, April 13, 2021 5:37 PM
To: 'Mariette Liefferink' <mariette@pea.org.za>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

All good,

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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Cell: 084 5855706
Fax: 086 546 0579
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Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Mariette Liefferink [<mailto:mariette@pea.org.za>]
Sent: Tuesday, April 13, 2021 5:33 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Apologies, Sonette. I prefer the afternoon slot at 13h00.

Best Regards
Mariette Liefferink
CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT
TEL. (+27) 11 465 6910
(+27) 73 231 4893
Postnet Suite #113, Private Bag X153, Bryanston, 2021
E-MAIL: mariette@pea.org.za

From: Sonette Smit <Sonette.S@greenmined.co.za>
Sent: 13 April 2021 05:30 PM
To: Mariette Liefferink <mariette@pea.org.za>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Marlene Lingenfelder

From: Mariette Liefferink <mariette@pea.org.za>
Sent: 17 April 2021 07:21 AM
To: Sonette Smit
Cc: 'Abrie Hanekom Vaaloewer'; 'Chris'; 'Craig'; 'Dina'; 'liz'; 'Louis Kruger'; 'Pieter'; 'Renee'; 'warrin'; Marlene Lingenfelder; 'Martin Struwig'; 'Gavin Aboud'; 'Philip Hartsliet'
Subject: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT
Attachments: FSE PRELIMINARY COMMENTS ON DEIAR - MCCP.docx

Dear Sonette,

I have augmented the FSE's comments on the above project.

I kindly request that the issues which are raised in the updated comments (attached) please be considered during this afternoon's meeting.

Best Regards

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

TEL. (+27) 11 465 6910

(+27) 73 231 4893

Postnet Suite #113, Private Bag X153, Bryanston, 2021

E-MAIL: mariette@pea.org.za

From: Mariette Liefferink <mariette@pea.org.za>
Sent: 16 April 2021 08:18 PM
To: 'Sonette Smit' <Sonette.S@greenmined.co.za>; 'Kalipa Kewuti' <Kalipa.Kewuti@dmre.gov.za>; 'Cedrick Fhedzisani' <Cedrick.Fhedzisani@dmre.gov.za>
Cc: 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Chris' <chrisc@cesa.co.za>; 'Craig' <craigrichardson100@gmail.com>; 'Dina' <dina.henstock@gmail.com>; 'liz' <liz.tuux@gmail.com>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Pieter' <pieter.hattingh@sibanyestillwater.com>; 'Renee' <renee@bundunet.com>; 'warrin' <warrinf@gmail.com>; 'Marlene Lingenfelder' <admin@greenmined.co.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'Philip Hartsliet' <bobh@dullies.com>
Subject: RE: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION - PUBLIC PARTICIPATION MEETING 10 APRIL 2021

Dear Sonette, (Copied to Ms Kewuti and Mr Fhedzisani, and IAPs),

In anticipation of tomorrow's virtual meeting at 1pm please find attached hereto the FSE's preliminary comments on the MCCP Mining Project.

Best Regards

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

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the federation for a sustainable environment

(Reg. No. 2007/003002/08)
NPO NUMBER 062986-NPO
PBO No. (TAX EXEMPT) 930 039 506
Postnet Suite #113, Private Bag X153, Bryanston, 2021

PRELIMINARY COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR AN APPLICATION IN TERMS OF SECTION 102 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002), AND ENVIRONMENTAL AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED 2017) SUBMITTED BY MONTE CRISTO COMMERCIAL PARK (PTY) LTD.
REFERENCE NUMBER: FS 30/5/1/2/2/10048 MR AND FS 30/5/1/2/3/2/1/10048 EM

The following comments are submitted on behalf of the Federation for Sustainable Environment (FSE). The FSE is a federation of community based civil society organisations committed to the realisation of the constitutional right to an environment that is not harmful to health or well-being, and to having the environment sustainably managed and protected for future generations. Their mission is specifically focussed on addressing the adverse impacts of mining and industrial activities on the lives and livelihoods of vulnerable and disadvantaged communities who live and work near South Africa's mines and industries.

COMPLEX CORPORATE STRUCTURE AND RESPONSIBILITY

According to the Draft Environmental Impact Assessment Report (DEIAR), dated March 2019, (page 5) the Applicant (Monte Cristo Commercial Park (Pty) Ltd), shares common Shareholding and Directorship with the Landowner. The Landowner is Goosebay Farm (Pty) Ltd. and the sole director of Goosebay Farm (Pty) Ltd is Mr Mark van Wyk (please refer to Appendix F18 of the DEIAR).

We infer from this statement that both the Applicant as well as the Landowner and its Director - being inextricably intertwined - will be responsible in terms of s 28 and s 34 of the National

Environmental Management Act, 107 of 1998 (NEMA) for the duty of care and remediation of environmental damage.¹

We respectfully submit that the abovementioned corporate structure is obfuscating interested and affected parties, which limits the ability of affected parties to seek a remedy in the event of environmental crimes or human rights violations. We trust this is not intentional or deliberate?

DUST

It is common cause, as was reported in the background to the National Dust Control Regulations, 2013 that dust deposition is a significant contributor to overall air pollution in South Africa (SOAR, 2005) and that mining activities a major source of wind-blown dust.

According to the Air Quality Baseline Assessment of the proposed Mine:

- The proposed Pure Source Mine Project, located approximately 20 km north-east of Parys in the Free State Province along a stretch of the Vaal river, will involve the development of an open pit sand and gravel mine, topsoil stockpiles, run-of-mine stockpiles, conveyors, mobile crushers, mobile screening plants and product stockpiles.
- Mined material will be processed in a processing plant comprising a sand washing plant, a sand drying plant, a diamond sorting plant and product stockpiles.
- The proposed mine falls just outside of the Vaal Triangle Airshed Priority Area (VTAPA).
- The proposed open pit surface mining and processing activities will result in air quality impacts in the study area.
- The anticipated mining rates and processing rates are as follows: 810 000 m³ sand per year (from year 3 to year 11) and 740 000 m³ sand per year (from year 12 onwards), 130 000 m³ gravel per year (from year 2 to year 10) and 416 502 m³ gravel per year (from year 11 onwards).
- The anticipated life of mine is 30 years.

The cumulative impacts of the impacts of the VTAPA and MCCP's proposed operations, and the impacts of the adjacent sand mines ought to be assessed.

Following the South African Human Rights Commission's (SAHRC) National Hearing on the Underlying Socio-Economic Challenges of Mining Affected Communities in South Africa² on 13-14 September; 26 – 28 September and 3 November 2016, the Commission issued the following directives:

The DEA (in cooperation with COGTA and SALGA) was directed to conduct an audit of all provincial governments and municipalities to confirm:

- Whether all municipalities have developed and incorporated an air quality management plan into their IDPs; and

¹ Section 34 of NEMA makes provision for both 'firms' (including companies and partnerships) and their 'directors' (including board members, executive committees or other managing bodies or companies or members of close corporations or of partnerships) to be held liable, in their personal capacities, for environmental crimes. This personal liability also applies to managers, agents or employees who have done or omitted to do an allocated task, while acting on behalf of their employer.

² The FSE was a member of the SAHRC's Section 11 Advisory Committee.

- Whether all provincial MECs and municipalities have appointed an air quality officer in line with NEMAQA.
- **Noting the reported lack of certainty around the applicability of NEMAQA to mining activities, the DEA (together with the DMR) are directed to issue a formal notice clarifying the requirements.** A copy of this public notice must be submitted to the SAHRC within three months from the release of this Report and must be accompanied by a report outlining measures taken to ensure that all industry role players are adequately made aware of the requirements.
- **The DEA (together with the DMR) must jointly report on the measures taken to streamline the control of the cumulative air pollution impacts of mining operations.** This report must outline the mechanisms that have been put in place for collation, verification and dissemination of information between stakeholders in relation to impacts reported and / or interventions undertaken in relation to air quality.

In the absence of confirmation of compliance by the above-mentioned organs of state, in particular the Ngwathe Local Municipality with the SAHRC's directives, we recommend that the Application not be authorised.

PUBLIC PARTICIPATION PROCESS

Environmental Assessment Practitioner (EAP)

We hereby request confirmation of the EAP's registration on the EAPSA Register.

The EAP's function in the public participation process is to ensure and facilitate Interested and Affected Parties' (IAPs) informed participation in the process, that is, to make the participation process easy or easier for IAPs. The EAP is furthermore required to be independent and to this end sign a declaration of independence. Independence places a responsibility on the EAP to take the same care with the engagement with IAPs as she/he does for their client.

We consider it relevant to here refer to the Earthlife Africa v DG of DEAT and ESKOM HOLDINGS LTD (Case no 7653/03, the CPD. Judgment: 21-1-2005). While the EAP's independence is achieved by the not being institutionally part of their client, the Court found that although consultants were notionally 'independent' in the sense that they were not institutionally part of the Applicant, they are employed by the Applicant to act as its agent and the purpose of their engagement was to obtain the authorisation the Applicant seeks.

The Court furthermore found that IAPs' issues are not heard by the decision-makers personally. Decision-makers have to rely on the EAP's record of the IAPs' issues hence the EAP's accurate recordal of the IAPs' issues in the Comments and Response Report is crucial. Before making his or her decision, **the decision-maker should be fully informed of the submissions made by IAPs and her or she should properly consider them.** What is required, as a minimum, is that the summary will contain a fair synopsis of all the points raised by the parties so that the repository of the power can consider them in order to come to a decision.

The FSE alleges that its and other IAPs' comments during the public participation meeting/s, although recorded in an audio recording, were not incorporated in the Issues and Response Report, which are prejudicial to the rights of the FSE and other IAPs.

The FSE furthermore respectfully submits, that the EAP's current engagement with the registered IAPs in this protracted process³ are perceived as unnecessarily formulaic and antagonistic, which instead of facilitating the process is impeding the process.

Issues and Response Report

The Draft Environmental Impact Assessment Report contains approximately 49 Appendices, which for the ordinary person to peruse and comment on, is overwhelming and undoubtedly also overwhelming for the decision-makers.

We now refer to the Issues and Response Report (Appendix E1). The Report contains 316 pages. Although notification of the Application, according to the Issues and Response Report, was submitted to local and provincial organs of state within the Free State Province, Gauteng and North West Province and national departments⁴, there were no comments submitted by these important stakeholders except for the Free State Department of Rural Development and Land Reform, the Free State Department of Police, Roads and Transport, the Free State Department of Water and Sanitation, the North West Department of Rural Development and Land Reform, South African Heritage Resources Agency, Eskom and Transnet.

³ Goosebay Farm (Pty) Ltd submitted an application for a Mining Right and Environmental Authorisation to the Department of Mineral Resources and Energy (DMRE), Free State Regional Manager in **November 2017**. This application was allocated the Mining Right reference number FS 30/5/1/2/2/10042 MR. This initial application was withdrawn by the Applicant. A new Mining Right and Environmental Authorisation application under different company, Monte Cristo Commercial Park (Pty) Ltd was submitted on **24 August 2018** (Mining Right reference number FS 30/5/1/2/2/10048 MR) and Environmental Authorisation reference number FS 30/5/1/2/3/2/1/10048 EM. The final scoping report for this application was submitted **14th December 2018** and accepted by the Department of Mineral Resources and Energy (DMRE), Free State on the 7th of February 2019. Initial extension of time was provided to the applicant for the period from February 2019 to February 2020. Due to COVID a final extension of time was approved by the DMRE until 26 April 2021 upon which the Final Environmental Impact Assessment Report will be submitted for decision-making.

⁴ Ngwathe Local Municipality. • Fezile Dabi District Municipality. • Emfuleni Local Municipality. • Sedibeng District Municipality. • JB Marks Local Municipality. • Dr Kenneth Kaunda District Municipality. • Free State Department of Economic Development, Tourism, Environmental Affairs and Small Business. • Free State Department of Agriculture, Rural Development, Land and Environmental Affairs. • Free State Department of Rural Development and Land Reform. • Free State Department of Mineral Resources. • Free State Department of Agriculture and Rural Development. • Free State Department of Human Settlements. • Free State Department of Cooperative Governance, Traditional Affairs and Human Settlements. • Free State Department of Police, Roads and Transport. • Free State Department of Public Works. • Free State Department of Water and Sanitation. • Gauteng Department of Economic Development. • Gauteng Department of Agriculture and Rural Development. • Gauteng Department of Cooperative Governance and Traditional Affairs. • Gauteng Department of Human Settlements. • Gauteng Department of Roads and Transport. • North West Department of Economic Development, Environment, Conservation and Tourism. • North West Department of Rural, Environmental and Agricultural Development. • North West Department of Rural, Environmental and Agricultural Development. • North West Department of Rural, Environmental and Agricultural Development. • North West Department of Water and Sanitation. • North West Department of Rural Development and Land Reform. • North West Department of Public Works, Roads and Transport. • North West Department of Agriculture. • Northwest Provincial Heritage Resources Authority - NWPHERA. • North West Department of Agriculture, Forestry and Fisheries. • North West Department of Agriculture and Environmental Affairs. • North West Parks Board. • South African Water Research Commission. • South African Heritage Resources Agency. • National Department of Rural Development and Land Reform. • National Department of Mineral Resources. • National Department of Agriculture, Forestry and Fisheries. • National Department of Environmental Affairs. • The Council for Scientific and Industrial Research - CSIR. • South African National Roads Agency Ltd – SANRAL. • Eskom. • Transnet

The burden of ensuring that the Application is ecologically sustainable and that the environment is protected, for the benefit of present and future generations that prevent pollution and ecological degradation; promote conservation and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development (Section 24 of the Bill of Rights of the Constitution of the Republic of South Africa) has been outsourced to unsalaried members of civil society.

Of relevance in this regard is the *Uzani Environmental v BP Southern Africa (Pty) Ltd* case in which the learned Judge Spilg found that:

“NEMA not only requires a transparent administration but recognised the contribution that can be made to the protection of the environment by a vigilant and committed public which has most to lose...Securing protection is therefore no longer the exclusive preserve of those engaged in these activities, nor of an opaque administration or an under-capacitated and potentially inhibited law enforcement agency which cannot claim the number of successful convictions one would have expected despite clear evidence of historic degradation to our environment.”

It is overwhelmingly evident from the Issues and Response Report that the community is strongly opposed to the Project. The decision-makers must in its decision recognise the contribution by a vigilant and committed community, which has most to lose.

Furthermore, equal weighting ought to be afforded to local knowledge and imported scientific knowledge. The EAP failed to accord the same weighting to local knowledge in the Issues and Response Report and only recognised the findings of scientists not living within the area. We refer in this regard to NEMA Section 2 (4)(g) which directs that *“decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognising all forms of knowledge, including traditional and ordinary knowledge”*.

We now refer to Appendix F18 entitled “Zoning Information.”

The EAP and the Applicant considered it appropriate to include in Appendix F18 a letter, written by the Director and Owner of Goosebay Farm (Pty) Ltd (“Goosebay Farm”) and holder of Prospecting Right 608 and Mining Permits 304, 303 and 302 to the Regional Mining Development and Environmental Committee (RMDEC), dated the 25th of April 2019, accusing Mr Gavin Aboud, a registered Interested and Affected Party (IAP) and a former Chairperson of “*Protect Vaal Eden*” and the “*Vaalower Ratepayers Association*” in terms of the Mining Right Applications numbers: FS 30/5/1/2/2/10048 and FS 30/5/1/2/2/10042, of unlawful and defamatory statements and threatening Mr Aboud that punitive damages will be sought against him.

Goosebay Farm mined within the areas of its abovementioned Mining Permits (as amended) and prospected in terms of the abovementioned Prospecting Right. It applied for a Closure Certificate pursuant to a pre-directive of the DMR/DMRE. Here we wish to interpose: **An Application for Closure in terms of the MPRD Regulations ought to include a record of interested and affected persons consulted since they are the ultimate recipients of potential, ongoing and historical pollution and the potential future land users and thus in the decisions regarding the establishment of objectives for such future land use, as well as in the decisions on the alternatives for engineering interventions, where decisions regarding such options will affect the future land use. We have no record that Goosebay**

Farm, which is intertwined with MCCP has involved the adjacent communities of Vaal Eden and Vaal Oewer and other affected parties in agreements regarding future land use.

In November 2017 Goosebay Farm submitted an application for a MR and Environmental Authorisation (EA) to the Department of Mineral Resources (DMR) Free State Regional Manager. This application was allocated the reference number: FS 30/5/1/2/2/10042 MR. However, this initial application was withdrawn by the Applicant.

As part of the public participation process, Mr Aboud, as registered IAP raised concerns regarding the Applications for MR 10042 and MR 10048. His concerns pertained to the current agricultural zoning of Goosebay Farm and its alleged non-compliance with the legally binding “EMP, Mine Plan and WUL.”

It was not inappropriate for Mr Aboud to raise concerns regarding Goosebay Farm in the MR 10048 Application since according to the DEIAR, dated March 2019, (page 5) the Applicant (Monte Cristo Commercial Park (Pty) Ltd), shares common Shareholding and Directorship with the Landowner. The Landowner is Goosebay Farm (Pty) Ltd. and the sole director of Goosebay Farm (Pty) Ltd is Mr Mark van Wyk.

Since the EAP and the Applicant considered it relevant to include the abovementioned letter in Monte Christo Commercial Park’s Draft Environmental Impact Assessment, the FSE considers it relevant to comment on the letter written by the Director and Owner of Goosebay Farm, and previous holder of a Prospecting Right and three Mining Permits.

In terms of the provisions of Section 31 of the National Environmental Management Act, 107 of 1998 (“NEMA”), titled “*Access to environmental information and protection of whistle-blowers*”:

“(4) Notwithstanding the provisions of any other law, no person is civilly or criminally liable or may be dismissed, disciplined, prejudiced or harassed on account of having disclosed any information, if the person in good faith reasonably believed at the time of the disclosure that he or she was disclosing evidence of an environmental risk and the disclosure was made in accordance with subsection (5);

(5) subsection (4) applies only if the person concerned-

(a) disclosed the information concerned to-

- i. a committee of Parliament or of a provincial legislature;*
- ii. an organ of state responsible for protecting any aspect of the environment or emergency services;*
- iii. the Public Protector;*
- iv. The Human Rights Commission;*
- v. Any attorney-general or his or her successor;*
- vi. More than one of the bodies or persons referred to in subparagraphs (i) to (v);*

(b) disclosed the information concerned to one or more news media and on clear and convincing grounds believed at the time of the disclosure-

- i. That the disclosure was necessary to avert an imminent and serious threat to the environment, to ensure that the threat to the environment was properly and timeously*

investigated or to protect himself or herself against serious or irreparable harm from reprisals; or

- ii. *Giving due weight to the importance of open, accountable and participatory administration, that the public interest in disclosure of the information clearly outweighed any need for non-disclosure....*

(8) No person may threaten to take any action contemplated by subsection (4) against a person because that person has exercised or intend to exercise his or her right in terms of subsection (4).

(Emphasis added.)

The judgment in Case No: 7595/2017 in the matter of Mineral Sands Resources (Pty) Ltd and Zamble Quanya (attached) has particular reference. In essence the learned Judge found:

“[66] It is trite that legal process is abused when it is used for a purpose other than that for what it has been intended or designed for. Corporations should not be allowed to weaponise our legal system against the ordinary citizen and activists in order to intimidate and silence them. It appears that the defamation suit is not genuine and bona fide, but merely a pretext with the only purpose to silence its opponents and critics. Litigation that is not aimed at vindicating legitimate rights, but is part of a broad and purposeful strategy to intimidate, distract and silence public criticism, constitutes an improper use of the judicial process and is vexatious. The improper use and abuse of the judicial process interferes with due administration of justice and undermines fundamental notions of justice and the integrity of our judicial process. SLAPP suits constitute an abuse of process, and is inconsistent with our constitutional values and scheme.

[67] The right to freedom of expression, robust public debate and the ability to participate in public debates without fear is essential in any democratic society. I am accordingly satisfied that this action matches the DNA of a SLAPP suit. Consequently, the first set of special pleas (the SLAPP suit defence) constitute a valid defence to the action, and the first set of exceptions falls to be dismissed.

(Emphasis added.)



JUDGMENT on
exceptions to special

The FSE therefore alleges that Goosebay Farm and its owner and its director and by implication MMCP are in contravention of the abovementioned provisions of NEMA and the right to freedom of expression in terms of section 16 of the Bill of Rights of the Constitution of the Republic of South Africa (Act 108 of 1996) and that the EAP is defending its Client in this matter.

ZONING

Appendix F18 refers to the zoning issue and the Town Council of Parys' Town Planning Scheme No. 11965. For ease of reference, I subjoin the relevant section hereunder.

“5. It is our instruction that silica sand mining has been conducted on the property since the 1970's and was accordingly not subject to a land use scheme at its commencement.

6. You will appreciate that the Ngwathe Local Municipality has yet to adopt a land use scheme as contemplated in Section 24(1) of The Spatial Planning and Land Use Management Act of 2013 (“SPLUMA”) nor does its current Land Use Scheme make provision for the zoning of farmland.

7. Consequently the property in question falls squarely within the ambit of Section 26(3) of SPLUMA which is quoted hereunder for your ease of reference:

“Where no town planning or land use scheme applies to a piece of land before a land use scheme is approved in terms of this Act, such land may be used only for the purposes listed in Schedule 2 of this Act and for which such land was lawfully used or could lawfully have been used immediately prior to the commencement of the Act.”

8. Schedule 2 of the Act in turn includes “mining purposes”.

9. In the premises the mining activities conducted on the property in question is not in contravention of any Law and we reiterate that the owners are under no obligation to rezone the property as alleged by the members of the community.”

The Issues and Responses Report contains the following information on the zoning issue.

Greenmined responded as follows to the statement by an IAP (page 33 of the Report): “The area are not zoned for mining.”

“Noted. According to the Zoning Certificate for the three affected properties, the area is zoned for agriculture. However, other permitted uses include shops, business premises, dwelling houses, residential buildings, places of worship, places of instruction and farming. Upon granting of the Mining Right, the Applicant will engage with the local Authority and apply for consent to include mining as an additional permitted use.”

And, on page 257 of the Report the IAP stated: “Rezoning has not taken place.” Greenminded responded:

The client will initiate the process of applying for consent to include mining as an additional permitted land use on the three properties, in the event that the Mining Right is granted by the DMR.”

Also, on page 41 of the Report Greenminded’s response to the IAP’s statement “The mining site is not zoned for mining, but agriculture” is: “The client will initiate the process of applying for consent to include mining as an additional permitted land use on the three properties, in the event that the Mining Right is granted by the DMR.”

In the light of the aforesaid, we request clarity from Greenmined on the above responses, namely whether consent was given by the local Authority to include mining as an additional permitted use and to kindly provide us with documentary evidence in substantiation or refer us to the relevant Appendix of the DEIAR.

WATER USE LICENCE

In the Issues and Response Report we are informed that an Application for a WUL has not been lodged and it was confirmed that the FSE will be provided with a copy of the WUL after an Application was lodged.

Since the FSE was not provided with a copy of the WUL, it is inferred that the Applicant has not applied for a WUL. It follows hence that the Applicant is of the opinion that the Application will not trigger any of the water uses in Section 21⁵ of the National Water Act (36 of 1998) nor the Regulations on Use of water for Mining and Activities Aimed at the Protection of water Resources 9gn. R. 704 of 4 June 1999).

Please advise.

REHABILITATION AND CLOSURE

According to the DEIAR at the end of mine all the open pits will have to be concurrently rehabilitated and the final void at year 30 will require shaping of the surface topography to match the surrounding landscape. 0.3 m topsoil will need to be added. A total area of 22.94 ha will have to be topsoiled and vegetated. The financial provision for rehabilitation was estimated at R14 821 429.

The Consultant (Digby Wells Environmental) recommended that Goosebay must complete a topsoil balance to ensue that enough material is available to rehabilitate all the disturbed areas. It was furthermore recommended that Goosebay conduct concurrent (progressive) rehabilitation.

The Chamber of Mines' Guidelines for the Rehabilitation of Mined Land⁶ (2007) contain detailed information on:

- Rehabilitation planning, permitting and financing
- Land preparation for mining
- Soil stripping
- Soil stockpiling
- Infrastructure removal
- Landform changes resulting from high extraction mining, the associated environmental impact and their remediation
- Soil replacement
- Soil amelioration
- Dealing with problem areas
- Revegetation and biodiversity re-establishment
- Rehabilitation monitoring
- Final closure planning

We shall now refer to selected extracts from the above-mentioned Guidelines and request the EAP or Applicant to confirm whether or not Goosebay is of the intention to implement the said

⁵For the purpose of this Act, water use includes – (a) taking water from a water resource; (b) storing water; (c) impeding or diverting the flow of water in a water course; (d) engaging in a stream flow reduction activity contemplated in section 36; (g) disposing of waste in a manner which may detrimentally impact on a water resources; etc.

⁶“The guidelines should apply to all forms of mining, both surface and underground, and all mineral extraction industries” (page 4 of the Guidelines for the rehabilitation of mined land).

Guidelines. Failure to implement the Guidelines, where appropriate, will result in an unsustainable future land use.

Soil stripping

- Ensure that there is a detailed soil plan for the areas to be stripped.
- Strip a suitable distance ahead of mining at all times, to avoid loss and contamination
- Demarcate boundaries of different soil types
- Define cut-off horizons in simple terms that the stripping operator can understand
- Supervise stripping to ensure soils are not mixed
- Strip soils only when moisture content will minimise compaction risk
- Strip and replace in one action wherever possible
- Use shovel and truck in preference to bowlscraper.

Soil stockpiling

- Locate soil stockpiles so that rehandle is minimised – they should not be moved after initial stripping unless being replaced in their final location in the rehabilitated profile.
- Ensure free draining location so as to minimise erosion loss and waterlogging.
- Minimise compaction during stockpile creation. Keep stockpile soils loose, preferably by end-tipping, and limit stockpile height to prevent internal compaction.
- Revegetate to avoid erosion losses.
- Ensure that stockpiled soil is only used for its intended purpose

Landform re-creation (Spoil Shaping)

- A post-mining land form concept should be developed at the planning stage. This should take account of expected bulking factors.
- This plan should allow the pre-mining proportions of land capability classes to be recreated, while also meeting water management requirements.
- Where the mining plan precludes the re-creation of the original topography, boxcut spoils, overburden dumps and final voids will be created. These final land forms must also be designed to maximise land capability and to meet water management objectives.
- Where slope length is excessive, use drainage channels and waterways to reduce erosion risk.
- Monitoring of the deposition of overburden materials and reconciliation of volumes moved in relation to plan should be done regularly – preferably on a monthly basis.
- The survey results should be used to correct bulking factors employed in the original planning exercise.
- All changes in mining plan should be analysed for their effects on final landform.
- Significant modifications to final landform will require modification to the mine EMP.
- Reshaping, following deposition, should be done taking into account surface water drainage and erosion risk considerations. In addition, water balance issues must be addressed. Adjusting the size of open water bodies can ensure that evaporation matches infiltration into the pit area, thus minimising seepage or decant of polluted water.
- An integrated approach is required to ensure that the optimal balance between conflicting final requirements is achieved.

Soil Replacement

- Soils, which should have been stripped according to form, should be replaced according to a pre-existing plan.
- A soil reserve should be retained to repair localised surface subsidence areas.
- Compaction should be minimised by use of appropriate equipment and replacing soils to the greatest possible thickness in single lifts.
- Soils should be moved when dry to minimise compaction. If they have to be moved when wet, shovel and truck should be used as bowlscrapers create massive compaction when moving wet soils.
- Where multi-layer soil profiles are re-created, running over the lower layers with heavy equipment should be minimised.
- Minimise compaction during smoothing of replaced soils by using dozers rather than graders.
- Following placement, all soils should be ripped to full rooting depth.
- Where natural revegetation is not possible, the soils should be tilled to produce a seed-bed suitable for the plant species selected for seeding.

Soil Amelioration

- Deposited soils must be ripped to ensure compaction is reduced.
 - Correct soil moisture content for maximum disturbance must be established.
 - Ripping must penetrate through soil into the underlying overburden materials.
 - Acceptable soil bulk density values must be determined and progress monitored against target.
- Surface tillage should produce an acceptable seedbed for the vegetation to be established.
- Soil fertility should be restored.
 - Soils should be analysed for plant nutrient content.
 - Fertiliser should be applied to raise soil nutrient content to the desired levels.
 - Rates of fertiliser to be applied frequently exceed normal agricultural dressings.
- Immobile fertilisers should be incorporated into the plant rooting zone.
- Maintenance dressings of fertiliser should be applied annually until the soil fertility cycle is restored.

Revegetation and Biodiversity Re-Establishment

- Species selected for rehabilitation should meet the biodiversity objectives.
- Rehabilitation species selection must be based on practical considerations.
- Appropriate methods should be used for vegetation establishment.
- Planting should be done when climatic conditions are most likely to ensure success.
- Where specialised biodiversity objectives occur, each situation differs and general guidance is worthless – consult your expert!
- Good guidance is contained in the ICMM/IUCN good practice guidelines for mining and biodiversity.

The decision-makers should not approve the Application unless Goosebay commits to the implementation of the Guidelines, where appropriate.

In terms of the 2015 NEMA: Regulations for Financial Provisioning, the financial provision should include latent and residual impacts, including the pumping and treatment of extraneous of polluted water.

Please advise if the cost estimates took into account possible latent and residual impacts and whether the cost estimates were made by a qualified quantity surveyor. Were the additional costs as a result of early or unplanned closure identified in the above-mentioned financial provision?

SUBMITTED BY:

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

16 April 2021.

Marlene Lingenfelder

From: Mariette Liefferink <mariette@pea.org.za>
Sent: 22 April 2021 12:54 PM
To: Marlene Lingenfelder; Sonette Smit; info@vldc.co.za
Cc: 'Renee de Jong Hartsliet'; 'Philip Hartsliet'; 'Gavin Aboud'; 'warrin'; 'Liz'; 'Craig Richardson'; 'Abrie Hanekom Vaaloewer'
Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Meeting Transcriptions
Attachments: CORRECTIONS- TRANSCRIPT.docx

Dear Marlene and Sonette,

I have hurriedly reviewed the transcript. My corrections are attached hereto and are highlighted in bold red typography. Kindly supplant the comments in the transcript with the revised comments.

Please note that I have only addressed the comments attributed to me and not to the other IAPs.

Kindly confirm receipt of the attached document.

Best Regards

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

TEL. (+27) 11 465 6910

(+27) 73 231 4893

Postnet Suite #113, Private Bag X153, Bryanston, 2021

E-MAIL: mariette@pea.org.za

From: Mariette Liefferink <mariette@pea.org.za>
Sent: 22 April 2021 11:29 AM
To: 'Marlene Lingenfelder' <admin@greenmined.co.za>; 'Sonette Smit' <Sonette.S@greenmined.co.za>; 'info@vldc.co.za' <info@vldc.co.za>
Cc: 'Renee de Jong Hartsliet' <renee@bundunet.com>; 'Philip Hartsliet' <bobh@dullies.com>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'warrin' <warrinf@gmail.com>; 'Liz' <liz@lizcharles.co.za>; 'Craig Richardson' <craigrichardson100@gmail.com>; 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>
Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Meeting Transcriptions
Importance: High

Dear Marlene,

I thank you for the transcription but there are unfortunately many errors. To exemplify, I subjoin hereunder an extract from page 8. The comments are attributed to me. The corrections are highlighted in red typography. I can unfortunately not accept the transcription as an accurate recording of my comments. I shall endeavour to correct the inaccuracies before the 24th instant but is time consuming and, as you may reflect, it is not my duty since I am not the EAP.

The errors in the recording of my comments also creates a reputational risk for my organisation and myself since it will lower the FSE and myself in the estimation of key stakeholders and other IAPs.

SUBJOINED EXTRACT FROM THE TRANSCRIPTION

Dr David De Waal's explanation of the independency of the **Environmental Assessment Practitioner (EAP)** (inaudibly notionally independent but if I may just..... and I've put also in writing, just perhaps to also record that in terms of **the (inaudible) DG of EAP and Eskom had a court case.**) It was found that the EAP – well, is notionally independent **independent in the sense that** they were not institutionally part of the applicant. But they are employed by the applicant is seeking. So I just want to put that on record. And then if I may just ask at this point in time whether the

CHAIRPERSON: Sorry, Ms Liefferink, I missed you. The quality was bad. I didn't hear your last sentence. If you

MS LIEFFERINK: May I ask, Dr De Waal, if the EAP is registered with **(DELETE – ICASA) EAPASA. (Interpo of South Africa.)**

CHAIRPERSON: Oh, okay.

In the light of the aforesaid, I request you to please not submit this transcript of the public meeting to the DMRE since it is flawed.

Best Regards

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

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E-MAIL: mariette@pea.org.za

From: Marlene Lingenfelder <admin@greenmined.co.za>

Sent: 22 April 2021 10:44 AM

Subject: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Meeting Transcriptions

Dear Interested and Affected Party,

Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation Meeting

Please find attach hereto the Transcription of the Meetings held on 10 April 2021 and 17 April 2021.

We trust that you find the above in order and once again thank you for your valued engagement with Greenmined.

Kind Regards/Vriendelike Groete

Marlene Lingenfelder

Project Administrator



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Fax: 086 546 0579
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"the goal isn't to live forever, it is to protect a planet that will"

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 12:07 PM
To: Mariette Liefferink
Cc: Marlene Lingenfelder
Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Meeting Transcriptions

Good day Mariette

1. Your email dated 22 April 2021 12:54 PM refers,
2. We note your corrections, and will amend the transcriptions to be submitted with the Final Environmental Impact Assessment Report ("FEIAR") and Environmental Management Programme ("EMPR").
3. Thank you for your participation in this process.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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Cell: 084 5855706
Fax: 086 546 0579
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Suite 62, Private Bag x15
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"the goal isn't to live forever, it is to protect a planet that will"

From: Mariette Liefferink [<mailto:mariette@pea.org.za>]

Sent: 22 April 2021 12:54 PM

To: Marlene Lingenfelder <admin@greenmined.co.za>; Sonette Smit <Sonette.S@greenmined.co.za>;
info@vldc.co.za

Cc: 'Renee de Jong Hartslief' <renee@bundunet.com>; 'Philip Hartslief' <bobh@dullies.com>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'warrin' <warrinf@gmail.com>; 'Liz' <liz@lizcharles.co.za>; 'Craig Richardson' <craigrichardson100@gmail.com>; 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>

Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Meeting Transcriptions

Dear Marlene and Sonette,

I have hurriedly reviewed the transcript. My corrections are attached hereto and are highlighted in bold red typography. Kindly supplant the comments in the transcript with the revised comments.

Please note that I have only addressed the comments attributed to me and not to the other IAPs.

Kindly confirm receipt of the attached document.

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 04:24 AM
To: Mariette Liefferink
Cc: Marlene Lingenfelder
Subject: FW: MARIETTE LIEFFERINK 1 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

Mariette Liefferink
Ceo: Fedration For A Sustainable Environment
Tel: (+27) 11 465 6910
Cell: (+27) 73 231 4893
Email: mariette@pea.org.za

Dear Mariette

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

1. The abovementioned matter and your email dated **6 April 2021 12:17 PM**, as set out below, refer.

2. I hereby respond seriatim in **red ink** to the unnumbered paragraphs of your abovementioned email:
"Dear Sonette,"

"I refer to the subjoined correspondence and our recent telephonic discussion. I also refer to the subjoined e-mail, dated the 29th of March 2021 in which the FSE's registration as interested and affected party is confirmed."

2.1. The above is noted;

2.2. Please advise as to the legal nature of FSE, and whether same is a juristic persona.

"Our response to the matter of MCCP's and Sweet Sensations Vaal Sands' meetings proposed to be held on the 10th of April, 2021 is regrettably belated due to the overwhelming large number of mining and prospecting applications the FSE is receiving daily and the number of public participation meetings in which the FSE is participating."

2.3. Noted.

"The FSE has confirmed its participation in Digby Wells Environmental's meeting on the 10th instant. It will disallow us from participating in the MCCP meeting on the same day. We therefore welcome the invitation to the MMCP's virtual meeting on the 17th instant. We hereby confirm our participation in MCCP's virtual meeting on the 17th instant."

2.4. Noted.

2.5. We confirm that you participated in MCCPs virtual meeting on 17 April 2021, and thank you such participation.

“Allow me please to reply to your response to Messrs Aboud’s and Struwig’s comments since I was copied on the correspondence. As you may reflect, the entitlements which flow from a prospecting and mining right are far-reaching, and the consent of affected parties - and in the matter under consideration, adjacent landowners - is not required. This of course results in power asymmetry and the psychological dynamics of this power asymmetry ought to be recognised by an EAP. An independent EAP ought to tap into synergetic power (power that comes from cooperating).”

2.6. We take note of the admirable sentiments contained in the abovementioned paragraph and enthusiastically align ourselves with same.

“The law makes provision, however, for balancing mechanisms. One of the most important of these is the public participation process. I think we are agreed that the EIA process must ensure free, prior and informed consultation with affected parties and facilitate their informed participation. Of relevance in this regard is the importance financial institutions also place on companies through guidelines such as the equator principles. Principle 5 of the equator principles requires that project developers consult with affected communities in a structure and culturally appropriate way.”

2.7. Again we find ourselves in respectful agreement with the abovementioned admirable sentiments

“Consideration ought furthermore to be given by an EAP to the ongoing impacts that current sand mining operations are having on residents of Vaal Oewer such as dust fallout, noise, visual impacts and scenic quality (sense of place), increased traffic (trucks), devaluation of property, etc. As a consequence, the well-being of the residents of Vaal Oewer is being threatened.”

2.8. We are aware of the ongoing adverse impacts, current sand mining operations, are having on the residents of Vaal-Oewer as alluded to by yourselves;

2.8.1. Please note however that current mining operations are being conducted by Sweet Sensations and Tja Naledi mines;

2.8.2. Our client M CCP, as explained to you during the Zoom meeting on **21 April 2021**, shares a common shareholding with the land owner;

2.8.3. As a consequence of the above, the applicants interests in protecting the environment and minimising adverse impacts are the same as the land owner and to a very large extent the residents of Vaal-Oewer;

2.8.4. Utmost in the mind of the applicant are the rights of the concerned of the residents of Vaal-Oewer, who are the land owners long-term neighbours, and have been so for more than a decade. The applicant and the land owner wish to simultaneously develop the mine and the eco, river and lifestyle estate in a sensible, sustainable and environmentally responsible and socially conscious manner, to the benefit of all concerned including the I&AP’s.

“I think it is relevant to also refer to the case of Director: Mineral Development Gauteng Region and another v. Save the Vaal Environment and others 1999 (2) SA 709 (SCA) at 715C where the Supreme Court of Appeals with regard to a proposed mine next to the Vaal River, identified as an environmental concern the “...predicted constant noise, light, dust and water pollution resulting from the proposed strip mine will totally destroy the ‘sense of place’ of the wetland and the associated Cloudy Creek. Thus the spiritual, aesthetic and therapeutic qualities associated with this area will also be eliminated.” It can be anticipated that M CCP’s proposed mining operations will introduce the same impacts upon the residents of Vaal Oewer. The current impacts and foreseeable impacts of sand mining within Vaal Oewer would understandably and undoubtedly solicit strong emotions. Emotions need to be paid due attention.”

2.9. Please note that due to extensive and comprehensive expert studies being carried out by the applicant, we are of the firm opinion that the mitigation measures proposed by the applicants consultants, if strenuously applied, will adequately safeguard I&AP’s from the potential harms outlined by yourselves above. The land

owner and MCCP take the abovementioned I&AP's concerns and the sentiments and dicta of the learned Judges of the Supreme Court of Appeal, to heart and will attempt to mine in a sensible and environmentally sensitive manner, should the mining right be granted.

"It is the FSE's respectful, albeit considered opinion, that an EAP should understand the fears and concerns of affected parties. Such understanding will enhance the prospect for successful consultation with IAPs."

2.10. Similarly Greenmined and the Applicant value your opinions, your efforts and the contributions which you tirelessly continue to make towards ensuring a sustainable environment.

"SUBJOINED"

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



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Somerset West, 7129

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

From: Mariette Liefferink [<mailto:mariette@pea.org.za>]

Sent: Tuesday, April 6, 2021 12:17 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Chris' <chrisc@cesa.co.za>; 'Craig' <craigrichardson100@gmail.com>; 'Dina' <dina.henstock@gmail.com>; 'liz' <liz.tuux@gmail.com>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Pieter' <pieter.hattingh@sibanyestillwater.com>; 'Renee' <renee@bundunet.com>; 'warrin' <warrinf@gmail.com>; Marlene Lingenfelder <admin@greenmined.co.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'Philip Hartsliel' <bobh@dullies.com>

Subject: RE: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION - PUBLIC PARTICIPATION MEETING 10 APRIL 2021

Dear Sonette,

I refer to the subjoined correspondence and our recent telephonic discussion. I also refer to the subjoined e-mail, dated the 29th of March 2021 in which the FSE's registration as interested and affected party is confirmed.

Our response to the matter of MCCP's and Sweet Sensations Vaal Sands' meetings proposed to be held on the 10th of April, 2021 is regrettably belated due to the overwhelming large number of mining and prospecting applications the FSE is receiving daily and the number of public participation meetings in which the FSE is participating.

The FSE has confirmed its participation in Digby Wells Environmental's meeting on the 10th instant. It will disallow us from participating in the MCCP meeting on the same day. We therefore welcome the invitation

to the MMCP's virtual meeting on the 17th instant. We hereby confirm our participation in M CCP's virtual meeting on the 17th instant.

Allow me please to reply to your response to Messrs About's and Struwig's comments since I was copied on the correspondence. As you may reflect, the entitlements which flow from a prospecting and mining right are far-reaching, and the consent of affected parties - and in the matter under consideration, adjacent landowners - is not required. This of course results in power asymmetry and the psychological dynamics of this power asymmetry ought to be recognised by an EAP. An independent EAP ought to tap into synergetic power (power that comes from cooperating).

The law makes provision, however, for balancing mechanisms. One of the most important of these is the public participation process. I think we are agreed that the EIA process must ensure free, prior and informed consultation with affected parties and facilitate their informed participation. Of relevance in this regard is the importance financial institutions also place on companies through guidelines such as the equator principles. Principle 5 of the equator principles requires that project developers consult with affected communities in a structure and culturally appropriate way.

Consideration ought furthermore to be given by an EAP to the ongoing impacts that current sand mining operations are having on residents of Vaal Oewer such as dust fallout, noise, visual impacts and scenic quality (sense of place), increased traffic (trucks), devaluation of property, etc. As a consequence, the well-being of the residents of Vaal Oewer is being threatened.

I think it is relevant to also refer to the case of *Director: Mineral Development Gauteng Region and another v. Save the Vaal Environment and others* 1999 (2) SA 709 (SCA) at 715C where the Supreme Court of Appeals with regard to a proposed mine next to the Vaal River, identified as an environmental concern the "...predicted constant noise, light, dust and water pollution resulting from the proposed strip mine will totally destroy the 'sense of place' of the wetland and the associated Cloudy Creek. Thus the spiritual, aesthetic and therapeutic qualities associated with this area will also be eliminated." It can be anticipated that M CCP's proposed mining operations will introduce the same impacts upon the residents of Vaal Oewer. The current impacts and foreseeable impacts of sand mining within Vaal Oewer would understandably and undoubtedly solicit strong emotions. Emotions need to be paid due attention.

It is the FSE's respectful, albeit considered opinion, that an EAP should understand the fears and concerns of affected parties. Such understanding will enhance the prospect for successful consultation with IAPs.

SUBJOINED

From: Sonette Smit <Sonette.S@greenmined.co.za>
Sent: 29 March 2021 04:49 PM**To:** mariette@pea.org.za
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: M CCP DEIAR Notification

Good day Mariette,

M CCP DEIAR Notification

1. Please find the notification as send on the 19th of March 2021 as requested telephonically, also see the link for the documentation below for your convenience.

<https://www.greenmined.com/environmental-impact-assessments/>

2. You are hereby registered for the public participation meeting on the 10th of April 2021 and will receive details hereof as soon as it is available.

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 04:26 AM
To: Marlene Lingenfelder
Subject: FW: MARIETTE LIEFFERINK 1 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Monday, April 26, 2021 4:25 AM

To: Sonette Smit

Subject: Delivered: MARIETTE LIEFFERINK 1 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

Your message has been delivered to the following recipients:

mariette@pea.org.za

Subject: FW: MARIETTE LIEFFERINK 1 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 05:49 AM
To: Mariette Liefferink
Cc: Marlene Lingenfelder
Subject: FW: MARIETTE LIEFFERINK 2 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation
Attachments: FSE PRELIMINARY COMMENTS ON DEIAR - MCCP.docx
Importance: High

Dear Mariette

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

1. The abovementioned matter and your emails dated **16 April 2021 08:18 AM** and **17 April 2021 07:21 AM** as set out below, refer.
2. We respond seriatim in **red font**, to the unnumbered paragraphs of your letter entitled: FSE Preliminary Comments on DEIAR – MCCP, dated **16 April 2021** (which paragraphs, have been set out in italics hereunder):

*PRELIMINARY COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR AN APPLICATION IN TERMS OF SECTION 102 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002), AND ENVIRONMENTAL AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED 2017) SUBMITTED BY MONTE CRISTO COMMERCIAL PARK (PTY) LTD.
REFERENCE NUMBER: FS 30/5/1/2/2/10048 MR AND FS 30/5/1/2/3/2/1/10048 EM*

The following comments are submitted on behalf of the Federation for Sustainable Environment (FSE). The FSE is a federation of community based civil society organisations committed to the realisation of the constitutional right to an environment that is not harmful to health or well-being, and to having the environment sustainably managed and protected for future generations. Their mission is specifically focussed on addressing the adverse impacts of mining and industrial activities on the lives and livelihoods of vulnerable and disadvantaged communities who live and work near South Africa's mines and industries.

1. **Please provide proof:**
 - 1.1 **Of whether FSE is a legal persona or merely a voluntary association of persons;**
 - 1.2 **In either event, please provide us with a relevant founding document, constitution or other document of a similar nature;**
 - 1.3 **Furthermore please provide us with a resolution, proxy or similar document authorising you to act in this MCCP mining right on behalf of FSE or anyone else**

COMPLEX CORPORATE STRUCTURE AND RESPONSIBILITY

According to the Draft Environmental Impact Assessment Report (DEIAR), dated March 2019, (page 5) the Applicant (Monte Cristo Commercial Park (Pty) Ltd), shares common Shareholding and Directorship with the Landowner. The Landowner is Goosebay Farm (Pty) Ltd. and the sole director of Goosebay Farm (Pty) Ltd is Mr Mark van Wyk (please refer to Appendix F18 of the DEIAR).

2. Save to deny that the above constitutes a “complex corporate structure”, we confirm the above

We infer from this statement that both the Applicant as well as the Landowner and its Director - being inextricably intertwined - will be responsible in terms of s 28 and s 34 of the National Environmental Management Act, 107 of 1998 (NEMA) for the duty of care and remediation of environmental damage.^[1]

3. Please provide authority for your abovementioned inference.

We respectfully submit that the abovementioned corporate structure is obfuscating interested and affected parties, which limits the ability of affected parties to seek a remedy in the event of environmental crimes or human rights violations.

4. We deny that:

4.1 The abovementioned corporate structure should obfuscate anyone or anything;

4.2 We further deny, that there is any likelihood of any environmental crimes or human rights violations taking place, now or in the future.

We trust this is not intentional or deliberate?

5. We are instructed by our client to reject any imputation of impropriety, misconduct or *mala fides*

DUST

It is common cause, as was reported in the background to the National Dust Control Regulations, 2013 that dust deposition is a significant contributor to overall air pollution in South Africa (SOAR, 2005) and that mining activities a major source of wind-blown dust.

According to the Air Quality Baseline Assessment of the proposed Mine:

- The proposed Pure Source Mine Project, located approximately 20 km north-east of Parys in the Free State Province along a stretch of the Vaal river, will involve the development of an open pit sand and gravel mine, topsoil stockpiles, run-of-mine stockpiles, conveyors, mobile crushers, mobile screening plants and product stockpiles.
- Mined material will be processed in a processing plant comprising a sand washing plant, a sand drying plant, a diamond sorting plant and product stockpiles.
- The proposed mine falls just outside of the Vaal Triangle Airshed Priority Area (VTAPA).
- The proposed open pit surface mining and processing activities will result in air quality impacts in the study area.
- The anticipated mining rates and processing rates are as follows: 810 000 m³ sand per year (from year 3 to year 11) and 740 000 m³ sand per year (from year 12 onwards), 130 000 m³ gravel per year (from year 2 to year 10) and 416 502 m³ gravel per year (from year 11 onwards).
- The anticipated life of mine is 30 years.

The cumulative impacts of the impacts of the VTAPA and MCCP’s proposed operations, and the impacts of the adjacent sand mines ought to be assessed.

Following the South African Human Rights Commission’s (SAHRC) National Hearing on the Underlying Socio-Economic Challenges of Mining Affected Communities in South Africa^[2] on 13-14 September; 26 – 28 September and 3 November 2016, the Commission issued the following directives:

The DEA (in cooperation with COGTA and SALGA) was directed to conduct an audit of all provincial governments and municipalities to confirm:

- Whether all municipalities have developed and incorporated an air quality management plan into their IDPs; and
- Whether all provincial MECs and municipalities have appointed an air quality officer in line with NEMAQA.
- Noting the reported lack of certainty around the applicability of NEMAQA to mining activities, the DEA (together with the DMR) are directed to issue a formal notice clarifying

the requirements. A copy of this public notice must be submitted to the SAHRC within three months from the release of this Report and must be accompanied by a report outlining measures taken to ensure that all industry role players are adequately made aware of the requirements.

- ***The DEA (together with the DMR) must jointly report on the measures taken to streamline the control of the cumulative air pollution impacts of mining operations. This report must outline the mechanisms that have been put in place for collation, verification and dissemination of information between stakeholders in relation to impacts reported and / or interventions undertaken in relation to air quality.***

In the absence of confirmation of compliance by the above-mentioned organs of state, in particular the Ngwathe Local Municipality with the SAHRC's directives, we recommend that the Application not be authorised.

6. We wish to place on record that you attended the Zoom meeting on 21 April 2021 at 17:00
 - 6.1 The following consultants who deal with dust toxicology, dust mitigation and dust monitoring issues, were also in attendance at said meeting;
 - 6.1.1 Dr Willie van Niekerk – an internationally recognised toxicologist from Infotox
 - 6.1.2 Ms Renee von Gruenewaldt – a highly qualified dust fallout mitigation expert from Airshed
 - 6.1.3 Mr Marius Meintjies – expert in measuring and monitoring dust fallout from Cymbidium
 - 6.2 To the best of our knowledge, you chose not to raise any of the above issues with the experts that were in attendance on the 21st of April 2021.
 - 6.3 Please provide an explanation for this.
 - 6.4 We also enclose herewith transcripts of the meetings held on 10 April 2021, 17 April 2021 and 21 April 2021.

PUBLIC PARTICIPATION PROCESS

Environmental Assessment Practitioner (EAP)

We hereby request confirmation of the EAP's registration on the EAPSA Register.

7. We have confirmed that this matter was dealt with at length the PPP meeting on the 21st of April 2021 and you confirmed yourself satisfied with the answers provided to you by Greenmined at the abovementioned 21 April 2021 meeting.

The EAP's function in the public participation process is to ensure and facilitate Interested and Affected Parties' (IAPs) informed participation in the process, that is, to make the participation process easy or easier for IAPs. The EAP is furthermore required to be independent and to this end sign a declaration of independence. Independence places a responsibility on the EAP to take the same care with the engagement with IAPs as she/he does for their client.

We consider it relevant to here refer to the Earthlife Africa v DG of DEAT and ESKOM HOLDINGS LTD (Case no 7653/03, the CPD. Judgment: 21-1-2005). While the EAP's independence is achieved by the not being institutionally part of their client, the Court found that although consultants were notionally 'independent' in the sense that they were not institutionally part of the Applicant, they are employed by the Applicant to act as its agent and the purpose of their engagement was to obtain the authorisation the Applicant seeks.

8. We confirm that the purpose of an EAPs engagement in these circumstances is to obtain the authorisation the applicant seeks.

*The Court furthermore found that IAPs' issues are not heard by the decision-makers personally. Decision-makers have to rely on the EAP's record of the IAPs' issues hence the EAP's accurate recordal of the IAPs' issues in the Comments and Response Report is crucial. Before making his or her decision, **the decision-maker should be fully informed of the submissions made by IAPs and her or she should properly consider them.** What is required, as a minimum, is that the*

summary will contain a fair synopsis of all the points raised by the parties so that the repository of the power can consider them in order to come to a decision.

9. We confirm:

9.1 All six of the public participation meetings were videographed and recorded on Zoom

9.2 The meetings on 10 April 2021, 17 April 2021 (13:00) and 21 April 2021, were all transcribed

The FSE alleges that its and other IAPs' comments during the public participation meeting/s, although recorded in an audio recording, were not incorporated in the Issues and Response Report, which are prejudicial to the rights of the FSE and other IAPs.

10. We refer you to the above with regards to the public participations conducted by Greenmined during April 2021.

The FSE furthermore respectfully submits, that the EAP's current engagement with the registered IAPs in this protracted process^[3] are perceived as unnecessarily formulaic and antagonistic, which instead of facilitating the process is impeding the process.

11. Greenmined is attempting out carry out their function in a proper fashion, with all due regard for their responsibilities, and with particular care due to the issues at stake for both the applicant and I&AP's.

Issues and Response Report

The Draft Environmental Impact Assessment Report contains approximately 49 Appendices, which for the ordinary person to peruse and comment on, is overwhelming and undoubtedly also overwhelming for the decision-makers.

We now refer to the Issues and Response Report (Appendix E1). The Report contains 316 pages. Although notification of the Application, according to the Issues and Response Report, was submitted to local and provincial organs of state within the Free State Province, Gauteng and North West Province and national departments^[4], there were no comments submitted by these important stakeholders except for the Free State Department of Rural Development and Land Reform, the Free State Department of Police, Roads and Transport, the Free State Department of Water and Sanitation, the North West Department of Rural Development and Land Reform, South African Heritage Resources Agency, Eskom and Transnet.

The burden of ensuring that the Application is ecologically sustainable and that the environment is protected, for the benefit of present and future generations that prevent pollution and ecological degradation; promote conservation and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development (Section 24 of the Bill of Rights of the Constitution of the Republic of South Africa) has been outsourced to unsalaried members of civil society.

12. Please provide authority for the abovementioned contention.

Of relevance in this regard is the *Uzani Environmental v BP Southern Africa (Pty) Ltd* case in which the learned Judge Spilg found that:

"NEMA not only requires a transparent administration but recognised the contribution that can be made to the protection of the environment by a vigilant and committed public which has most to lose...Securing protection is therefore no longer the exclusive preserve of those engaged in these activities, nor of an opaque administration or an under-capacitated and potentially inhibited law enforcement agency which cannot claim the number of successful convictions one would have expected despite clear evidence of historic degradation to our environment."

13. The above dictum of the learned Judge Brian Spilg, whilst eloquent, persuasive and informative, does not amount to an authorisation of the abrogation of the rights of Government in favour of civil society.

It is overwhelmingly evident from the Issues and Response Report that the community is strongly opposed to the Project. The decision-makers must in its decision recognise the contribution by a vigilant and committed community, which has most to lose.

14. We cannot comment on the factors which will be operative on the mind of the decision maker.

Furthermore, equal weighting ought to be afforded to local knowledge and imported scientific knowledge. The EAP failed to accord the same weighting to local knowledge in the Issues and Response Report and only recognised the findings of scientists not living within the area. We refer in this regard to NEMA Section 2 (4)(g) which directs that “decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognising all forms of knowledge, including traditional and ordinary knowledge”.

15. We do not believe that you have made out a case for MCCPs professional consultants to be overruled by I&AP’s, merely because they allegedly may have “ordinary knowledge”

We now refer to Appendix F18 entitled “Zoning Information.”

The EAP and the Applicant considered it appropriate to include in Appendix F18 a letter, written by the Director and Owner of Goosebay Farm (Pty) Ltd (“Goosebay Farm”) and holder of Prospecting Right 608 and Mining Permits 304, 303 and 302 to the Regional Mining Development and Environmental Committee (RMDEC), dated the 25th of April 2019, accusing Mr Gavin Aboud, a registered Interested and Affected Party (IAP) and a former Chairperson of “Protect Vaal Eden” and the “Vaaloever Ratepayers Association” in terms of the Mining Right Applications numbers: FS 30/5/1/2/2/10048 and FS 30/5/1/2/2/10042, of unlawful and defamatory statements and threatening Mr Aboud that punitive damages will be sought against him.

*Goosebay Farm mined within the areas of its abovementioned Mining Permits (as amended) and prospected in terms of the abovementioned Prospecting Right. It applied for a Closure Certificate pursuant to a pre-directive of the DMR/DMRE. Here we wish to interpose: **An Application for Closure in terms of the MPRD Regulations ought to include a record of interested and affected persons consulted since they are the ultimate recipients of potential, ongoing and historical pollution and the potential future land users and thus in the decisions regarding the establishment of objectives for such future land use, as well as in the decisions on the alternatives for engineering interventions, where decisions regarding such options will affect the future land use. We have no record that Goosebay Farm, which is intertwined with MCCP has involved the adjacent communities of Vaal Eden and Vaal Oewer and other affected parties in agreements regarding future land use.***

16. Please provide clear authority for the abovementioned proposition.

17. Greenmined act on behalf of MCCP and not Goosebay Farm (Pty) Ltd.

18. MCCPs application for a mining right cannot be tied to actions and omissions of Goosebay Farm (Pty) Ltd.

In November 2017 Goosebay Farm submitted an application for a MR and Environmental Authorisation (EA) to the Department of Mineral Resources (DMR) Free State Regional Manager. This application was allocated the reference number: FS 30/5/1/2/2/10042 MR. However, this initial application was withdrawn by the Applicant.

19. Noted

As part of the public participation process, Mr Aboud, as registered IAP raised concerns regarding the Applications for MR 10042 and MR 10048. His concerns pertained to the current agricultural zoning of Goosebay Farm and its alleged non-compliance with the legally binding “EMP, Mine Plan and WUL.”

20. As stated above, Greenmined acts on behalf of MCCP and not Goosebay Farm (Pty) Ltd. Greenmined is not authorised to comment on the actions and omissions of Goosebay Farm (Pty) Ltd.

It was not inappropriate for Mr Aboud to raise concerns regarding Goosebay Farm in the MR 10048 Application since according to the DEIAR, dated March 2019, (page 5) the Applicant (Monte Cristo Commercial Park (Pty) Ltd), shares common Shareholding and Directorship with the Landowner. The Landowner is Goosebay Farm (Pty) Ltd. and the sole director of Goosebay Farm (Pty) Ltd is Mr Mark van Wyk.

21. The representative of the DMR at the REMDEC meeting in May 2019, did not agree with your above contention and firmly overruled Mr Aboud when he attempted to raise these issues in the REMDEC meeting.

Since the EAP and the Applicant considered it relevant to include the abovementioned letter in Monte Christo Commercial Park's Draft Environmental Impact Assessment, the FSE considers it relevant to comment on the letter written by the Director and Owner of Goosebay Farm, and previous holder of a Prospecting Right and three Mining Permits.

22. As stated above, Greenmined feel they are obliged by to abide by the REMDEC stated opinion.

In terms of the provisions of Section 31 of the National Environmental Management Act, 107 of 1998 ("NEMA"), titled "Access to environmental information and protection of whistle-blowers":

"(4) Notwithstanding the provisions of any other law, no person is civilly or criminally liable or may be dismissed, disciplined, prejudiced or harassed on account of having disclosed any information, if the person in good faith reasonably believed at the time of the disclosure that he or she was disclosing evidence of an environmental risk and the disclosure was made in accordance with subsection (5);

(5) subsection (4) applies only if the person concerned-

(a) disclosed the information concerned to-

- i. a committee of Parliament or of a provincial legislature;*
- ii. an organ of state responsible for protecting any aspect of the environment or emergency services;*
- iii. the Public Protector;*
- iv. The Human Rights Commission;*
- v. Any attorney-general or his or her successor;*
- vi. More than one of the bodies or persons referred to in subparagraphs (i) to (v);*

(b) disclosed the information concerned to one or more news media and on clear and convincing grounds believed at the time of the disclosure-

- i. That the disclosure was necessary to avert an imminent and serious threat to the environment, to ensure that the threat to the environment was properly and timeously investigated or to protect himself or herself against serious or irreparable harm from reprisals; or*
- ii. Giving due weight to the importance of open, accountable and participatory administration, that the public interest in disclosure of the information clearly outweighed any need for non-disclosure....*

(8) No person may threaten to take any action contemplated by subsection (4) against a person because that person has exercised or intend to exercise his or her right in terms of subsection (4).

(Emphasis added.)

The judgment in Case No: 7595/2017 in the matter of Mineral Sands Resources (Pty) Ltd and Zamble Quanya (attached) has particular reference. In essence the learned Judge found:

"[66] It is trite that legal process is abused when it is used for a purpose other than that for what it has been intended or designed for. Corporations should not be allowed to weaponise our legal system against the ordinary citizen and activists in order to intimidate and silence them. It appears that the defamation suit is not genuine and bona fide, but merely a pretext with the only purpose to silence its opponents and critics. Litigation that is not aimed at vindicating legitimate rights, but is part of a broad and purposeful strategy to intimidate, distract and silence public criticism, constitutes an improper use of the judicial process and is vexatious. The improper use and abuse of the judicial process interferes with due administration of justice and undermines fundamental notions of justice and the integrity of our judicial process. SLAPP suits constitute an abuse of process, and is inconsistent with our constitutional values and scheme.

[67] *The right to freedom of expression, robust public debate and the ability to participate in public debates without fear is essential in any democratic society. I am accordingly satisfied that this action matches the DNA of a SLAPP suit. Consequently, the first set of special pleas (the SLAPP suit defence) constitute a valid defence to the action, and the first set of exceptions falls to be dismissed.*

(Emphasis added.)



JUDGMENT on
exceptions to specia

23. This matter has been referred to the Applicant and its attorneys.

The FSE therefore alleges that Goosebay Farm and its owner and its director and by implication MMCP are in contravention of the abovementioned provisions of NEMA and the right to freedom of expression in terms of section 16 of the Bill of Rights of the Constitution of the Republic of South Africa (Act 108 of 1996) and that the EAP is defending its Client in this matter.

24. This matter has been referred to the Applicant and its attorneys and to Goosebay Farm (Pty) Ltd and its attorneys.

ZONING

Appendix F18 refers to the zoning issue and the Town Council of Parys' Town Planning Scheme No. 11965. For ease of reference, I subjoin the relevant section hereunder.

"5. It is our instruction that silica sand mining has been conducted on the property since the 1970's and was accordingly not subject to a land use scheme at its commencement.

6. You will appreciate that the Ngwathe Local Municipality has yet to adopt a land use scheme as contemplated in Section 24(1) of The Spatial Planning and Land Use Management Act of 2013 ("SPLUMA") nor does its current Land Use Scheme make provision for the zoning of farmland.

7. Consequently the property in question falls squarely within the ambit of Section 26(3) of SPLUMA which is quoted hereunder for your ease of reference:

"Where no town planning or land use scheme applies to a piece of land before a land use scheme is approved in terms of this Act, such land may be used only for the purposes listed in Schedule 2 of this Act and for which such land was lawfully used or could lawfully have been used immediately prior to the commencement of the Act."

8. Schedule 2 of the Act in turn includes "mining purposes".

9. In the premises the mining activities conducted on the property in question is not in contravention of any Law and we reiterate that the owners are under no obligation to rezone the property as alleged by the members of the community."

The Issues and Responses Report contains the following information on the zoning issue.

Greenmined responded as follows to the statement by an IAP (page 33 of the Report): "The area are not zoned for mining."

"Noted. According to the Zoning Certificate for the three affected properties, the area is zoned for agriculture. However, other permitted uses include shops, business premises, dwelling houses, residential buildings, places of worship, places of instruction and farming. Upon granting of the Mining Right, the Applicant will engage with the local Authority and apply for consent to include mining as an additional permitted use."

And, on page 257 of the Report the IAP stated: "Rezoning has not taken place." Greenminded responded:

The client will initiate the process of applying for consent to include mining as an additional permitted land use on the three properties, in the event that the Mining Right is granted by the DMR.”

Also, on page 41 of the Report Greenminded’s response to the IAP’s statement “The mining site is not zoned for mining, but agriculture” is: “The client will initiate the process of applying for consent to include mining as an additional permitted land use on the three properties, in the event that the Mining Right is granted by the DMR.”

In the light of the aforesaid, we request clarity from Greenmined on the above responses, namely whether consent was given by the local Authority to include mining as an additional permitted use and to kindly provide us with documentary evidence in substantiation or refer us to the relevant Appendix of the DEIAR.

25. In terms of SPLUMA, mining is currently an authorised use on the land.

WATER USE LICENCE

In the Issues and Response Report we are informed that an Application for a WUL has not been lodged and it was confirmed that the FSE will be provided with a copy of the WUL after an Application was lodged.

Since the FSE was not provided with a copy of the WUL, it is inferred that the Applicant has not applied for a WUL. It follows hence that the Applicant is of the opinion that the Application will not trigger any of the water uses in Section 21^[5] of the National Water Act (36 of 1998) nor the Regulations on Use of water for Mining and Activities Aimed at the Protection of water Resources 9gn. R. 704 of 4 June 1999).

26. Proof of WUL application submitted was attached as appendix N of the DEIAR

REHABILITATION AND CLOSURE

According to the DEIAR at the end of mine all the open pits will have to be concurrently rehabilitated and the final void at year 30 will require shaping of the surface topography to match the surrounding landscape. 0.3 m topsoil will need to be added. A total area of 22.94 ha will have to be topsoiled and vegetated. The financial provision for rehabilitation was estimated at R14 821 429.

The Consultant (Digby Wells Environmental) recommended that Goosebay must complete a topsoil balance to ensure that enough material is available to rehabilitate all the disturbed areas. It was furthermore recommended that Goosebay conduct concurrent (progressive) rehabilitation.

The Chamber of Mines’ Guidelines for the Rehabilitation of Mined Land^[6] (2007) contain detailed information on:

- *Rehabilitation planning, permitting and financing*
- *Land preparation for mining*
- *Soil stripping*
- *Soil stockpiling*
- *Infrastructure removal*
- *Landform changes resulting from high extraction mining, the associated environmental impact and their remediation*
- *Soil replacement*
- *Soil amelioration*
- *Dealing with problem areas*
- *Revegetation and biodiversity re-establishment*
- *Rehabilitation monitoring*
- *Final closure planning*

We shall now refer to selected extracts from the above-mentioned Guidelines and request the EAP or Applicant to confirm whether or not Goosebay is of the intention to implement the said Guidelines. Failure to implement the Guidelines, where appropriate, will result in an unsustainable future land use.

Soil stripping

- *Ensure that there is a detailed soil plan for the areas to be stripped.*
- *Strip a suitable distance ahead of mining at all times, to avoid loss and contamination*
- *Demarcate boundaries of different soil types*
- *Define cut-off horizons in simple terms that the stripping operator can understand*
- *Supervise stripping to ensure soils are not mixed*
- *Strip soils only when moisture content will minimise compaction risk*
- *Strip and replace in one action wherever possible*
- *Use shovel and truck in preference to bowlscraper.*

Soil stockpiling

- *Locate soil stockpiles so that rehandle is minimised – they should not be moved after initial stripping unless being replaced in their final location in the rehabilitated profile.*
- *Ensure free draining location so as to minimise erosion loss and waterlogging.*
- *Minimise compaction during stockpile creation. Keep stockpile soils loose, preferably by end-tipping, and limit stockpile height to prevent internal compaction.*
- *Revegetate to avoid erosion losses.*
- *Ensure that stockpiled soil is only used for its intended purpose*

Landform re-creation (Spoil Shaping)

- *A post-mining land form concept should be developed at the planning stage. This should take account of expected bulking factors.*
- *This plan should allow the pre-mining proportions of land capability classes to be recreated, while also meeting water management requirements.*
- *Where the mining plan precludes the re-creation of the original topography, boxcut spoils, overburden dumps and final voids will be created. These final land forms must also be designed to maximise land capability and to meet water management objectives.*
- *Where slope length is excessive, use drainage channels and waterways to reduce erosion risk.*
- *Monitoring of the deposition of overburden materials and reconciliation of volumes moved in relation to plan should be done regularly – preferably on a monthly basis.*
- *The survey results should be used to correct bulking factors employed in the original planning exercise.*
- *All changes in mining plan should be analysed for their effects on final landform.*
- *Significant modifications to final landform will require modification to the mine EMP.*
- *Reshaping, following deposition, should be done taking into account surface water drainage and erosion risk considerations. In addition, water balance issues must be addressed. Adjusting the size of open water bodies can ensure that evaporation matches infiltration into the pit area, thus minimising seepage or decant of polluted water.*
- *An integrated approach is required to ensure that the optimal balance between conflicting final requirements is achieved.*

Soil Replacement

- *Soils, which should have been stripped according to form, should be replaced according to a pre-existing plan.*
- *A soil reserve should be retained to repair localised surface subsidence areas.*

- *Compaction should be minimised by use of appropriate equipment and replacing soils to the greatest possible thickness in single lifts.*
- *Soils should be moved when dry to minimise compaction. If they have to be moved when wet, shovel and truck should be used as bowlscrapers create massive compaction when moving wet soils.*
- *Where multi-layer soil profiles are re-created, running over the lower layers with heavy equipment should be minimised.*
- *Minimise compaction during smoothing of replaced soils by using dozers rather than graders.*
- *Following placement, all soils should be ripped to full rooting depth.*
- *Where natural revegetation is not possible, the soils should be tilled to produce a seed-bed suitable for the plant species selected for seeding.*

Soil Amelioration

- *Deposited soils must be ripped to ensure compaction is reduced.*
- *Correct soil moisture content for maximum disturbance must be established.*
- *Ripping must penetrate through soil into the underlying overburden materials.*
- *Acceptable soil bulk density values must be determined and progress monitored against target.*
- *Surface tillage should produce an acceptable seedbed for the vegetation to be established.*
- *Soil fertility should be restored.*
 - *Soils should be analysed for plant nutrient content.*
 - *Fertiliser should be applied to raise soil nutrient content to the desired levels.*
 - *Rates of fertiliser to be applied frequently exceed normal agricultural dressings.*
- *Immobile fertilisers should be incorporated into the plant rooting zone.*
- *Maintenance dressings of fertiliser should be applied annually until the soil fertility cycle is restored.*

Revegetation and Biodiversity Re-Establishment

- *Species selected for rehabilitation should meet the biodiversity objectives.*
- *Rehabilitation species selection must be based on practical considerations.*
- *Appropriate methods should be used for vegetation establishment.*
- *Planting should be done when climatic conditions are most likely to ensure success.*
- *Where specialised biodiversity objectives occur, each situation differs and general guidance is worthless – consult your expert!*
- *Good guidance is contained in the ICMM/IUCN good practice guidelines for mining and biodiversity.*

The decision-makers should not approve the Application unless Goosebay commits to the implementation of the Guidelines, where appropriate.

27. Goosebay has already completed its rehabilitation obligations.

28. MCCP has referred the guidelines to its expert specialist consultants for comment. MCCPs preliminary view is that there is merit in such guidelines.

In terms of the 2015 NEMA: Regulations for Financial Provisioning, the financial provision should include latent and residual impacts, including the pumping and treatment of extraneous of polluted water.

Please advise if the cost estimates took into account possible latent and residual impacts and whether the cost estimates were made by a qualified quantity surveyor. Were the additional costs as a result of early or unplanned closure identified in the above-mentioned financial provision?

29. All of the above comments have been referred to a quantity surveyor employed by MCCP. MCCP will respond shortly with comments from the Quantity Surveyor.

SUBMITTED BY:

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

16 April 2021.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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Somerset West, 7129

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

From: Mariette Liefferink [<mailto:mariette@pea.org.za>]

Sent: 17 April 2021 07:21

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Chris' <chrisc@cesa.co.za>; 'Craig' <craigrichardson100@gmail.com>; 'Dina' <dina.henstock@gmail.com>; 'liz' <liz.tuxx@gmail.com>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Pieter' <pieter.hattingh@sibanyestillwater.com>; 'Renee' <renee@bundunet.com>; 'warrin' <warrinf@gmail.com>; Marlene Lingenfelder <admin@greenmined.co.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'Philip Hartslielief' <bobh@dullies.com>

Subject: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT

Dear Sonette,

I have augmented the FSE's comments on the above project.

I kindly request that the issues which are raised in the updated comments (attached) please be considered during this afternoon's meeting.

Best Regards

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

TEL. (+27) 11 465 6910

(+27) 73 231 4893

Postnet Suite #113, Private Bag X153, Bryanston, 2021

E-MAIL: mariette@pea.org.za

From: Mariette Liefferink <mariette@pea.org.za>

Sent: 16 April 2021 08:18 PM

To: 'Sonette Smit' <Sonette.S@greenmined.co.za>; 'Kalipa Kewuti' <Kalipa.Kewuti@dmre.gov.za>; 'Cedrick Fhedzisani' <Cedrick.Fhedzisani@dmre.gov.za>

Cc: 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Chris' <chrisc@cesa.co.za>; 'Craig'

<craigrichardson100@gmail.com>; 'Dina' <dina.henstock@gmail.com>; 'liz' <liz.tuxx@gmail.com>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Pieter' <pieter.hattingh@sibanyestillwater.com>; 'Renee' <renee@bundunet.com>; 'warrin' <warrinf@gmail.com>; 'Marlene Lingenfelder' <admin@greenmined.co.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'Philip Hartsliel' <bobh@dullies.com>

Subject: RE: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION - PUBLIC PARTICIPATION MEETING 10 APRIL 2021

Dear Sonette, (Copied to Ms Kewuti and Mr Fhedzisani, and IAPs),

In anticipation of tomorrow's virtual meeting at 1pm please find attached hereto the FSE's preliminary comments on the MCCP Mining Project.

Best Regards

Mariette Liefferink

CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

TEL. (+27) 11 465 6910

(+27) 73 231 4893

Postnet Suite #113, Private Bag X153, Bryanston, 2021

E-MAIL: mariette@pea.org.za

[1] Section 34 of NEMA makes provision for both 'firms' (including companies and partnerships) and their 'directors' (including board members, executive committees or other managing bodies or companies or members of close corporations or of partnerships) to be held liable, in their personal capacities, for environmental crimes. This personal liability also applies to managers, agents or employees who have done or omitted to do an allocated task, while acting on behalf of their employer.

[2] The FSE was a member of the SAHRC's Section 11 Advisory Committee.

[3] Goosebay Farm (Pty) Ltd submitted an application for a Mining Right and Environmental Authorisation to the Department of Mineral Resources and Energy (DMRE), Free State Regional Manager in **November 2017**. This application was allocated the Mining Right reference number FS 30/5/1/2/2/10042 MR. This initial application was withdrawn by the Applicant. A new Mining Right and Environmental Authorisation application under different company, Monte Cristo Commercial Park (Pty) Ltd was submitted on **24 August 2018** (Mining Right reference number FS 30/5/1/2/2/10048 MR) and Environmental Authorisation reference number FS 30/5/1/2/3/2/1/10048 EM. The final scoping report for this application was submitted **14th December 2018** and accepted by the Department of Mineral Resources and Energy (DMRE), Free State on the 7th of February 2019.

Initial extension of time was provided to the applicant for the period from February 2019 to February 2020. Due to COVID a final extension of time was approved by the DMRE until 26 April 2021 upon which the Final Environmental Impact Assessment Report will be submitted for decision-making.

[4] Ngwathe Local Municipality. • Fezile Dabi District Municipality. • Emfuleni Local Municipality. • Sedibeng District Municipality. • JB Marks Local Municipality. • Dr Kenneth Kaunda District Municipality. • Free State Department of Economic Development, Tourism, Environmental Affairs and Small Business. • Free State Department of Agriculture, Rural Development, Land and Environmental Affairs. • Free State Department of Rural Development and Land Reform. • Free State Department of Mineral Resources. • Free State Department of Agriculture and Rural Development. • Free State Department of Human Settlements. • Free State Department of Cooperative Governance, Traditional Affairs and Human Settlements. • Free State Department of Police,

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 05:53 AM
To: Marlene Lingenfelder
Subject: FW: MARIETTE LIEFFERINK 2 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Monday, April 26, 2021 5:50 AM

To: Sonette Smit

Subject: Delivered: MARIETTE LIEFFERINK 2 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

Your message has been delivered to the following recipients:

mariette@pea.org.za

Subject: FW: MARIETTE LIEFFERINK 2 - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

MARTIN STRUWIG

Marlene Lingenfelder

From: Sonette Smit
Sent: 30 March 2021 12:08 PM
To: Martin Struwig
Cc: protectvaaleden@googlegroups.com; Marlene Lingenfelder
Subject: RE: MCCP DEIAR Notification

Good day Martin,

MCCP DEIAR Notification – Meeting registration.

1. Thank you for registering for the public participation meeting of 10 April 2021 for the above mentioned project.
2. A link to the meeting will be send to you after the closing of the meeting registration period.

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

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

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Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Martin Struwig [mailto:martin.vaaloewer@vodamail.co.za]
Sent: Tuesday, March 30, 2021 9:44 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: protectvaaleden@googlegroups.com
Subject: RE: MCCP DEIAR Notification
Importance: High

Good day,

Please register me for the public participation meeting.

Regards

Martin Struwig
martin.vaaloewer@vodamail.co.za
083 457 1430
086 457 3397 Fax

Marlene Lingenfelder

From: Sonette Smit
Sent: 03 April 2021 11:29 AM
To: Martin Struwig
Cc: 'Gavin Aboud'; Marlene Lingenfelder
Subject: RE: MCCP DEIAR Notification
Attachments: RE: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION – PUBLIC PARTICIPATION MEETING 10 APRIL 2021

Good day Martin,

Please receive attached hereto response to your email below dated Wednesday, March 31, 2021 2:25 PM,

We trust you find the attached in order.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

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Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Martin Struwig [mailto:martin.vaaloewer@vodamail.co.za]
Sent: Wednesday, March 31, 2021 2:25 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: martin.vaaloewer@vodamail.co.za; 'Gavin Aboud' <gavinaboud@vodamail.co.za>
Subject: FW: MCCP DEIAR Notification

Hi,

As per attached it's going to be impossible to attend two mining meetings on the same date which is a huge problem to all affected parties.

Regards

Martin Struwig
martin.vaaloewer@vodamail.co.za
083 457 1430
086 457 3397 Fax

Marlene Lingenfelder

From: Sonette Smit
Sent: 03 April 2021 11:20 AM
To: gavinaboud@vodamail.co.za
Cc: 'Mariette Liefferink'; Abrie Hanekom Vaaloewer; Bob; Chris; Craig; Dina; liz; Louis Kruger; Pieter; Renee; warrin; Marlene Lingenfelder; 'Martin Struwig'
Subject: RE: MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION – PUBLIC PARTICIPATION MEETING 10 APRIL 2021
Attachments: FW: MCCP DEIAR Notification; FW: MCCP DEIAR Notification; MCCP DEIAR Notification 19 Mar 2021 V9 BP.pdf; Digby Wells Notification.jpg; GB Min Obj Mining 2019 Lett DMR Re RMDEC 10048MR GB Resp 25 Apr 2019 v15 BP.pdf

Importance: High

Tracking:	Recipient	Delivery
	gavinaboud@vodamail.co.za	
	'Mariette Liefferink'	
	Abrie Hanekom Vaaloewer	
	Bob	
	Chris	
	Craig	
	Dina	
	liz	
	Louis Kruger	
	Pieter	
	Renee	
	warrin	
	Marlene Lingenfelder	Delivered: 2021/04/03 11:20 AM
	'Martin Struwig'	

Good day Gavin,

MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT - DEIAR NOTIFICATION – PUBLIC PARTICIPATION MEETING 10 APRIL 2021

1. Your emails dated **30 March 2021 3:54 PM** and **31 March, 2021 7:26 AM** (copies of same enclosed herewith), refer.

Sweet Sensation / Digby Wells Focus Group Meetings to be held on 10 April 2021 – Clash with MCCP Virtual Public Participation Meeting on Saturday 10 April 2021.

2. We take note of your email dated **30 March, 2021 3:54 PM**, wherein you stated as follows:

“Good Day Greenminded and Digby Wells,

You both have informed the IAP’s registered for Sweet Sensations and Pure Source that they must save the date for a PPP meeting on the 10th April.

Please be advised we cannot be in both places at the same time?

Someone will have to change their date?"

2.1. We wish to further, respectfully but clearly advise you as follows, with regards to your above statement and concerns:

2.1.1. Both Greenmined and the Applicant, only became aware of the Proposed Sweet Sensations meeting on **Friday 26 March 2021**, pursuant to a telephone call from Sweet Sensation's Mr Graham Rodgers to the Applicant's Mr Robert Schimpers;

2.1.2. The time period for I&AP's who wished to register for the MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021** (as specified in the Greenmined MCCP Notification Letter dated **19 March 2021**, copy of same enclosed), expired at **24h00 on 31 March 2021**;

2.1.3. We refer you, to paragraphs 3 and 4 of our MCCP notification letter dated **19 March 2021**, which paragraphs are set out hereunder for your ease of reference:

"3. Details of this **PUBLIC PARTICIPATION MEETING**, will be provided to I&AP's upon Greenmined receiving I&AP's **individual requests for registration** for the said meeting (I&AP's are requested to contact the relevant Greenmined Consultant hereunder, by no later than **31 March 2021**, should they wish to attend the meeting).

4. In the event that any I&AP, would prefer a **different meeting format** then, the relevant I&AP is **requested to advise Greenmined** accordingly, as per the contents of, and date set out in, paragraph 3 above:

4.1 **Greenmined will attempt to do everything necessary, to accommodate any such reasonable request;**

4.2 I&AP's are however requested, to **bear in mind the limitations placed on the Public Participation Process by the COVID regulations** (specifically, but not limited to, constraints and issues relating to Public gatherings) and other obvious practical considerations." (**Our underlining for Emphasis**).

2.1.4. Since the closing date for I&AP's to Register for the abovementioned MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021** has now passed, we are now in a Position to revert to all parties who have advised us that they wish to be registered for attendance at the said MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021**. We will accordingly revert to all such parties shortly.

2.1.5. We can however, in the interim, confirm that a number of I&AP's, in respect of the MCCP Mining Project, have already registered for the MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021**;

2.1.6. We shall make the necessary arrangements to accommodate all reasonable requests, received from any qualifying I&AP's, who cannot attend the MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021**, for the reasons which you have set out (or any other valid reasons advanced by such I&AP's);

2.1.7. We place on record however, that:

2.1.7.1. We have only received objections and advice from yourself and Mr Struwig, that you would not be able to attend the MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021** (as you both had already agreed to attend the Sweet Sensations Focus Meetings on the same day);

2.1.7.2. We have not received any advice or objections from any other I&AP's on this basis;

Arrangements with regards to yourself and Mr Struwig

2.2. With regards to you specifically (and in accordance with what we have clearly set out hereinabove), we have taken note of the contents of the unnumbered third and fourth lines of your email dated **30 March 2021 3:54 PM** above, which we again set out hereunder, for the purposes of clarity:

"Please be advised we cannot be in both places at the same time?"

Someone will have to change their date?"

2.2.1. We will accordingly make suitable arrangements for an alternative meeting to accommodate you, once we have had a sufficient opportunity to properly consider, all requests and comments from the I&AP's referred to above, bearing in mind that the cut-off time for such requests and comments, was **24h00** on **Wednesday 31 March 2021**, and the Easter Break commenced on the evening of **Thursday 1 April 2021**;

2.2.2. As we have clearly stated herein, we will do everything possible to accommodate yourself and such I&AP's;

2.2.3. We pause to reiterate, that to date we have not received any objection or advice, from any other I&AP who may be involved with the Sweet Sensations Focus Group Meetings on **Saturday 10 April 2021**.

2.3. Out of abundant caution, and to prevent inconvenience to yourself and any other I&AP, who may not be available to attend the MCCP Virtual Public Participation Meeting on **Saturday 10 April 2021**, we hereby notify you:

2.3.1. Of an intended further MCCP Public Participation Meeting, which we at this time (on the information currently available to ourselves), advise you will be held on **Saturday 17 April 2021**;

2.3.2. It must be noted, that this meeting will be an **Additional MCCP Public Participation Meeting** (in addition to the **Saturday 10 April 2021 Virtual MCCP Public Participation Meeting**).

2.3.3. This **Additional MCCP Public Participation Meeting** on **Saturday 17 April 2021**:

2.3.3.1. Will also be attended by all relevant MCCP Consultants and other necessary functionaries;

2.3.3.2. Has been scheduled to accommodate those I&AP's who have registered their interest to attend the **Saturday 10 April 2021 Virtual MCCP Public Participation Meeting** (but who have to attend the Focus Group for the Sweet Sensation Public Participation Meeting, also scheduled for **Saturday 10 April 2021**);

Similar Comments Received from Mr Martin Struwig

3. We also refer you to the email of Mr Martin Struwig (an I&AP from Vaalower), such email dated **31 March 02:25 PM**:

3.1. We note that this email was also copied to yourself. Mr Struwig expressed his concern as follows:

"Hi,

As per attached it's going to be impossible to attend two mining meetings on the same date which is a huge problem to all affected parties.

Regards"

3.2. This response will be copied to Mr Struwig, and what is set out herein, applies *mutatis mutandis* to the issue raised by Mr Struwig.

Virtual Public Participation Meeting instead of Physical Public Participation Meeting (due to advent of COVID-19 Virus and Regulations Promulgated as a result thereof)

4. We refer to your email dated **31 March 2021 7:26 AM**, as set out hereunder.
5. We take note of your comments pertaining to the desirability of a physical Public Participation Meeting. We must however, clearly bring the following (respectfully but firmly), to your attention:
 - 5.1. We take both the COVID regulations, and the health and wellbeing of all I&AP's registered in respect of this Project, very seriously;
 - 5.2. As has been previously clearly indicated by yourself, we have to date, had in excess of **1200** people registered as I&AP's in respect of this project;
 - 5.3. The applicable COVID regulations, most certainly do not make provision for any public meeting (indoor or outdoor), that will lawfully accommodate so many potential attendees;
 - 5.4. Please bear in mind that the purpose of a public meeting is to inform and address concerns of I&AP's. We believe, that the steps and measures proposed by ourselves will fully and properly achieve this purpose, without:
 - 5.4.1. Jeopardizing the health and safety of any I&AP (many of the I&AP's are essentially the neighbors of the Farm over which the Mining Right is being sought);
 - 5.4.2. Breaking any of the Covid Regulations or any other Legislative Enactment.
 - 5.5. After careful consideration, we have therefore decided to deal with specific requests received from individual I&AP's, who do not have the requisite access to facilities for a virtual meeting, in order to accommodate each such I&AP's specific circumstances and requirements;

Your Concerns Raised in your email dated Wednesday 31 March 2021 7:26 AM

6. In particular I wish to refer to the following unnumbered paragraphs from your email dated **31 March 2021 7:26 AM**.

"I am afraid that you will have to have a real meeting as well"

- 6.1. You provide no authority for this proposition;

"Many IAP's have been moaning that they do not have access to computers and Wi Fi. You must realise that you are dealing with a rural community, an informal settlement, and not everyone has access to WiFi."

- 6.2. We wish to raise the following:

- 6.2.1. Since "many" I&AP's have been "moaning" (as alleged by yourself without any supporting evidence), they clearly have knowledge of the MCCP Virtual Public Participation Meeting to be held on **Saturday 10 April 2021**, but have nonetheless failed to contact Greenmined, as per paragraphs 3 and 4 of our notice

- 6.2.2. Greenmined and MCCP, attempted to contact every I&AP on the list annexed to the MCCP DEIAR, in order to inform them of the Proposed Public Participation Meeting and the need to register for the meeting to be held on **10 April 2021**;

- 6.2.3. Not one of the I&AP's contacted, complained that they did not have access to computers or Wi-Fi;
- 6.2.4. Many of the IAP's contacted, expressed surprise at the telephone call, and requested that they not be troubled any further, with regards to this matter;
- 6.3. We have not been contacted by any I&AP's, who have objected to the MCCP Virtual Public Participation Meeting to be held on **Saturday 10 April 2021**, on the basis that they do not have access to Computers and or Wi-Fi.
- 6.4. In the circumstances, we hereby request, that you provide us with a list of the contact details, including telephone numbers (and where possible email addresses), of those I&AP's who you allege, claim to have been prejudiced ("moaning" as per your email), for the reasons set out in your abovementioned email;
- 6.5. We shall then contact such I&AP's and make the necessary arrangements to meet with them, and to generally provide them with the opportunity to exercise their rights, in terms of the Public Participation Process.
7. In conclusion we further wish to place on record that you had not provided us with any evidence whatsoever, of any mandate, authorisation or entitlement, which enables you to act on a representative capacity on behalf on any I&AP other than yourself:
- 7.1. This selfsame issue, of your not being entitled or authorized to represent anyone other than yourself, has already been raised with you, by the Applicant at the RMDEC Meeting held at Welkom on **25 April 2019** (a copy of the MCCP Letter to RMDEC, dated **25 April 2019**, is enclosed herewith);
- 7.2. Accordingly, nothing contained herein, is to be construed or interpreted as being an acceptance, by Greenmined or MCCP that you are entitled to act any representative capacity as set out above;
- 7.3. In all instances I&AP's who wish to be part of the Public Participation Process, must contact us directly as set out herein, in our notification letter and our many Public Notices erected at 20 Locations around the proposed MCCP Mining Area.
8. We trust that you find this in order.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

www.greenmined.com

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Suite 62, Private Bag x15
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"the goal isn't to live forever, it is to protect a planet that will"

From: Gavin Aboud [<mailto:gavinaboud@vodamail.co.za>]

Sent: Wednesday, March 31, 2021 7:26 AM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: 'Mariette Liefferink' <mariette@pea.org.za>; Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Bob

Marlene Lingenfelder

From: Martin Struwig <martin@vaaloewer.co.za>
Sent: 21 April 2021 03:56 PM
To: Sonette Smit
Cc: Marlene Lingenfelder
Subject: FW: INTERESTED AND AFFECTED PARTY REGISTRATION FORM - PURE SOURCE MINE (FS 30/5/1/2/2/10048 MR) now MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT
Attachments: IMG-20180712-WA0012.jpg; VVA picnic & fishing 20180921_202048.jpg; IMG-20180504-WA0007.jpg; IMG-20180922-WA0050.jpg; IMG-20180922-WA0052.jpg; IMG-20180922-WA0057.jpg; Scan_20181009_145340.pdf
Importance: High

Sonette & Marlene,

Here are my concerns below on the proposed mining which I also forwarded to Shango Solutions at the time they were attending to the public participation process in 2018 for your info.

My view and concerns remain the same and I am not able to attend your Zoom session of today.

Regards

Martin Struwig

AJS BELEGGINGS/ INVESTMENTS TRUST REG NO. K150/1989D

Vaaloewer – Professional Practitioner In Real Estate Since 1990

208 GENL. HERTZOG STREET, EXHIBITION 2000 BUILDING, PO BOX 979 VANDERBIJLPARK, 1900
SITE: 12 RIVER AVENUE VAALOEWER

martin@vaaloewer.co.za

martin.vaaloewer@vodamail.co.za

083 457 1430

086 716 3928 Fax

From: Martin Struwig <martin@vaaloewer.co.za>
Sent: Tuesday, 09 October 2018 15:12
To: 'Zizo Siwendu' <zizo@shango.co.za>; 'Mmakoena' <mmakoena@shango.co.za>
Subject: INTERESTED AND AFFECTED PARTY REGISTRATION FORM - PURE SOURCE MINE (FS 30/5/1/2/2/10048 MR)
Importance: High

ZIZO,

Please find this email as my registration as an affected, concerned & objector party to the mining application to include sand, gravel and diamond mining.

I write this as a normal person with no or very little knowledge relating to mining and the working of applications, objections, laws etc. relating to it. The problem as an individual is that although there are laws governing and prescribing how Mining Companies may operate and also protecting the public, it is just to complicate for the general public or person on the street to understand all these complicated issues and how to deal with it.

I reside as the landowner on portion 80 Zeekoefontein on the river which is just directly opposite Woodlands farm portions and next to Vaaloewer (see some pic's for info). I have been living in Vaaloewer area since 1980 and selling property here since 1990.

Due to the current political & economic climate and pollution of the Vaal River due to untreated sewerage discharged by Municipalities, it has already impacted negatively on property sales, tourism in the area, job losses etc. and with extensive mining in the area it will just make things worse. The only people to gain from mining will be government in form of taxes, the few parties involved, very few jobs and specialised people who will come from main towns/ cities anyway. So very little of the income derived from the mining of sand and diamonds will be spent locally.

I am situated directly across the river from the planned mining area and due to the landscape we could hear and see the movement of heavy equipment from the previous sand mining activities which never operated according to set hours as one could hear them until very late at night and starting in the very early morning hours (I do not see any planned working hours indicated on your documents). There were also the use of either diesel generators or pumps that could be heard all day and night which was a disturbance in our tranquil environment.

Vaaloewer including Goose Bay Canyon township and the Zeekoefontein farm portions represent a total market value of ±R456 679 000-00 representing well over 1000 properties on which owners are paying rates and taxes to Emfuleni Municipal Council. This does not include the values for Lindequesdrift, surrounding Woodlands and Vaal Eden properties. Large scale mining in the area will have a negative impact on property values, noise & air pollution, further future development and also impact on job creation and tourism in the area.

These properties are used for permanent, retirement, leisure living and also investment purposes and owners purchase here to be in an unpolluted, non-industrial, tranquil peace and quiet area as most come from cities and want to get away of the hustle and bustle.

The mining can also have an effect on the pollution of the river and as Vaaloewer extract their water from the river to purify for household consumption, this is a major concern.

In Vaaloewer we have the "Vaaloewer Voluntary Association" which allows access to all property owners/ residents to the riverfront area for fishing, picnic etc. (of which I am also a member).

We also have Goose Bay Canyon Recreation and Power Boat Club representing 210 boat members (of which I am a member) that use the damned up river area for boating, skiing, fishing etc. The club operates a "River Fund" funded by its members at an annual cost of R150 000 plus to keep the river clean. The river barge with two workers on a daily basis keep the river clear from fallen trees, floating logs, hyacinth, plastic & other rubbish that gets washed down river to create a safe boating environment for the users of the river. As the Free State bank is part of the current game farm, 90% of cleaning is done on that side due to no one there attending to it.

The boat club also operate a Share Block Company with weekend housing units for their owners and boat storage which is currently insured for replacement cost of well over R36 million rand.

All clubs and associations in the area are dependent on their members for payment of annual subs to maintain the facilities for its members. Non-use will mean no payment of annual fees which will affect jobs and upkeep of facilities.

Although the area is mainly an agricultural area and therefor there are noise factors such as tractors and farming equipment cannot be compared to the type of mining equipment including large tipper trucks, excavators, crushers or other diamond related machinery will make more noise than that of normal farming in the area.

With the previous application of the applicant during November 2017 this was withdrawn due to various reasons including a very important point such as *"unprecedented number of objections from I & AP's due to the sensitivity of the mining footprint"*

In your own document you have listed 22 preliminary potential impacts vs only 6 preliminary positive implications not even to mention impact on nature, bird and animal life.

I cannot see how one could rehabilitate an area 100% where the intended plan is to cut into the ground up to 12 meters (that is as high as a three or four storey building) and remove sand and stone to be sold. Where will soil come from to close these excavations.

Then to state as a closing objective "Is to develop the area into an eco-estate with residential and hospitality facilities on the banks of the Vaal River" does not make sense as this was the original intention of the applicant. It could only mean that after 30 years this will never happen as after the area has been mined out and mining scars left like in the surrounding area where previous mining was never rehabilitated due to mining operations going bankrupt and the land just left or abandoned. Due to this the whole surrounding areas will also just become desolate as no one would want to live near or look onto a landscape which has been scarred for life.

To state that mining is just an "interim land use" is untrue as 30 years is already a life time and that it will be conducted in a "sensitive manner" that will not have negative impact on the game. No man made operations could ever rehabilitate an area to original nature state. In this statement it does not mention the negative impact on the surrounding land and people living there but rather refer to impact on game.

Regards

Martin Struwig

AJS BELEGGINGS/ INVESTMENTS TRUST REG NO. K150/1989D

Vaaloewer – Professional Practitioner In Real Estate Since 1990

208 GENL. HERTZOG STREET, EXHIBITION 2000 BUILDING, PO BOX 979 VANDERBIJLPARK, 1900

SITE: 12 RIVER AVENUE VAALOEWER

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083 457 1430

086 716 3928 Fax














Shango Solutions respectfully requests that you please sign this letter and return it to Shango Solutions at the details provided to confirm that you have received notification with regard to the above, and to ensure that your comments, concerns and various inputs are recorded. All comments, queries, and concerns must be received via this I&AP registration form and questionnaire or alternate means. Please note that only registered I&APs will be included in future correspondence regarding this Mining Right (MR) Application and associated Integrated Environmental Authorisation (IEA) process.

Signed  Name M. S. Smith Date 9/10/2018

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 11:18 PM
To: Martin Struwig
Cc: Marlene Lingenfelder
Subject: FW: STRUWIG - Monte Cristo Commercial Park (Pty) Ltd ('MCCP') Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation
Attachments: IMG-20180504-WA0007.jpg; IMG-20180712-WA0012.jpg; IMG-20180922-WA0050.jpg; IMG-20180922-WA0052.jpg; IMG-20180922-WA0057.jpg; Scan_20181009_145340.pdf; VVA picnic & fishing 20180921_202048.jpg; Transcript 10 April 2021 Public Participation Meeting.pdf; Transcript 17 April 2021 Public Participation Meeting.pdf; Transcript 21 April 2021 Public Participation Meeting.pdf

Dear Mr. Struwig,

Monte Cristo Commercial Park (Pty) Ltd ('MCCP') Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

1. The abovementioned matter and your email, dated **21 April 2021 3:56 PM**, as set out below refer.
2. We hereby respond *ad seriatim* in **red font** to the unnumbered paragraphs of your abovementioned email, as set out below:

"Please find this email as my registration as an affected, concerned & objector party to the mining application to include sand, gravel and diamond mining."

- 2.1. **Herewith we confirm, that your comments and concerns set out more fully in your correspondence below, have been noted and will be included in the final report to be submitted to the competent Authority.**

"I write this as a normal person with no or very little knowledge relating to mining and the working of applications, objections, laws etc. relating to it. The problem as an individual is that although there are laws governing and prescribing how Mining Companies may operate and also protecting the public, it is just to complicate for the general public or person on the street to understand all these complicated issues and how to deal with it."

- 2.2. **We understand your views relating to the complexity of Mining Right Applications, and that you do not fully understand the process. The Public Participation Meetings held by us on 10 April 2021, 17 April 2021 (Two Meetings), 21 April 2021 and 24 April 2021 (Two Meetings) provided I&APs with an opportunity to engage with the Applicant, MCCP, in order to alleviate such concerns;**
- 2.3. **To assist all I&APs in this regard, the transcriptions of the public participation meetings held on 10 April 2021, 17 April 2021 and 21 April 2021, have and will be made available to all registered I&APs. Most of the concerns raised by you in your aforementioned email were addressed, during the meetings as can be determined from the Transcriptions. We have also recorded the meetings on Zoom and will make such recordings available to you on request;**
- 2.4. **We again attach the aforementioned Transcriptions, for ease of reference;**
- 2.5. **Furthermore, video graphic recordings of the Meetings held on 24 April 2021 can also be made available upon request;**

2.6. Furthermore, we will attempt to address certain of your concerns in our response below;

“Due to the current political & economic climate and pollution of the Vaal River due to untreated sewerage discharged by Municipalities, it has already impacted negatively on property sales, tourism in the area, job losses etc. and with extensive mining in the area it will just make things worse. The only people to gain from mining will be government in form of taxes, the few parties involved, very few jobs and specialised people who will come from main towns/ cities anyway. So very little of the income derived from the mining of sand and diamonds will be spent locally.”

2.7. Having regard to your concern, that very little income will be spent locally, please take note that most (if not all) employees to be employed by the Applicant, at the MCCC Mining Project will reside within the local Municipal Area, resulting in socio-economic growth within the local area;

2.8. MCCC will further uplift the community, by implementing local economic development projects and implementing human resource development programs;

“I am situated directly across the river from the planned mining area and due to the landscape we could hear and see the movement of heavy equipment from the previous sand mining activities which never operated according to set hours as one could hear them until very late at night and starting in the very early morning hours (I do not see any planned working hours indicated on your documents). There were also the use of either diesel generators or pumps that could be heard all day and night which was a disturbance in our tranquil environment.”

2.9. The Mine at Goosebay Farm has not operated since **2018**;

2.9.1. This mine was operated in terms of Mining Permits and a Prospecting Right, and was subject to different conditions to those proposed in terms of the MCCC Application;

2.9.2. The proposed working hours of the MCCC Mine are **06H00 to 18H00**, as is clear from the MCCC Documentation, and was pointed out repeatedly at the Public Participation Meetings. I note that you unfortunately chose to not participate any one of the six Public Participation Meetings;

2.10. MCCC and the Landowner share common Directorship and Shareholding, therefore it is in the interests of both the Applicant and the Landowner, that the impacts to the environment are minimized, and that all mitigation measures are implemented;

“Vaalower including Goose Bay Canyon township and the Zeekoefontein farm portions represent a total market value of ±R456 679 000-00 representing well over 1000 properties on which owners are paying rates and taxes to Emfuleni Municipal Council. This does not include the values for Lindequesdrift, surrounding Woodlands and Vaal Eden properties. Large scale mining in the area will have a negative impact on property values, noise & air pollution, further future development and also impact on job creation and tourism in the area.

These properties are used for permanent, retirement, leisure living and also investment purposes and owners purchase here to be in an unpolluted, non-industrial, tranquil peace and quiet area as most come from cities and want to get away of the hustle and bustle.”

2.11. In response to your comments as set out above, it should be noted that all relevant Specialist studies have been conducted by MCCC, and the prescribed mitigation measures will be strictly enforced by MCCC;

2.12. It should also be noted, that all mitigation measures as proposed by the relevant Specialist Consultants, become conditions to the approval of the Mining Right Application, which mitigation measures must be adhered to;

2.13. In the event that the conditions are not complied with, the competent authority will issue a compliance notice, which may result in the suspension of all mining activities by MCCC;

- 2.14. The Specialist studies have been included as annexures in the abovementioned DEIAR, and have accordingly been subject to the Public Participation Process, since **19 March 2021**. In addition to the above, please refer to the transcriptions of the meetings held, as your concerns in this regard, have largely to a certain extent also been addressed during the Public Participation Meetings.

“The mining can also have an effect on the pollution of the river and as Vaaloewer extract their water from the river to purify for household consumption, this is a major concern.

In Vaaloewer we have the “Vaaloewer Voluntary Association” which allows access to all property owners/ residents to the riverfront area for fishing, picnic etc. (of which I am also a member).

We also have Goose Bay Canyon Recreation and Power Boat Club representing 210 boat members (of which I am a member) that use the dammed up river area for boating, skiing, fishing etc. The club operates a “River Fund” funded by its members at an annual cost of R150 000 plus to keep the river clean. The river barge with two workers on a daily basis keep the river clear from fallen trees, floating logs, hyacinth, plastic & other rubbish that gets washed down river to create a safe boating environment for the users of the river. As the Free State bank is part of the current game farm, 90% of cleaning is done on that side due to no one there attending to it.

The boat club also operate a Share Block Company with weekend housing units for their owners and boat storage which is currently insured for replacement cost of well over R36 million rand.

All clubs and associations in the area are dependent on their members for payment of annual subs to maintain the facilities for its members. Non-use will mean no payment of annual fees which will affect jobs and upkeep of facilities.”

- 2.15. Having regard to your concern that mining may pollute the Vaal River, we note your concern;

- 2.16. We confirm that MCCP is currently in the process of obtaining a Water Use License, which License will be subject to certain additional conditions should it be approved;

- 2.17. Furthermore, we would like to refer you to the Specialist Studies conducted in accordance with the DEIAR phase, and, more specifically, the Hydrology Report, Aquatic Biodiversity Report, Wetland Assessment and Groundwater Study, which form part of Appendix F to the DEIAR;

“Although the area is mainly an agricultural area and therefor there are noise factors such as tractors and farming equipment cannot be compared to the type of mining equipment including large tipper trucks, excavators, crushers or other diamond related machinery will make more noise than that of normal farming in the area.”

- 2.18. Having regard to your concern, that the applicable noise levels will increase in the event that mining activities commence in terms of the aforementioned Mining Project, we confirm that your aforementioned concern has been addressed during the Public Participation Meetings, which have been held;

- 2.19. MCCP will, in any event, ensure that the levels remain within the permitted standards, which will be monitored on a continuous basis.

“With the previous application of the applicant during November 2017 this was withdrawn due to various reasons including a very important point such as “unprecedented number of objections from I & AP’s due to the sensitivity of the mining footprint”

In your own document you have listed 22 preliminary potential impacts vs only 6 preliminary positive implications not even to mention impact on nature, bird and animal life.

I cannot see how one could rehabilitate an area 100% where the intended plan is to cut into the ground up to 12 meters (that is as high as a three or four storey building) and remove sand and stone to be sold. Where will soil come from to close these excavations.”

- 2.20. We take note of your concern with regards to rehabilitation, and we again confirm that your aforementioned concern, has been addressed during the Public Participation Meetings, which have been held (None of which you chose to attend);
- 2.21. Please take note that only **363.5** ha of the total land, which total area measures **858** ha in extent, has been allocated to Mining Operations;
- 2.22. Furthermore, the MCCP Mining Operation shall implement a “Roll-Over Mining” procedure;
- 2.23. In the circumstances, only **9** ha (**5** ha of Sand Mining and **4** ha of Aggregate Mining), will be mined at any given time, which areas will be concurrently rehabilitated;
- 2.24. It is important to note, that MCCP has on an ongoing basis, utilized the services of a Landscape Architect in the past six years, in this regard:
- 2.24.1. Detailed plans and investigations have been compiled and carried out, with regards to the simultaneous mining and development of infrastructure, for the Eco, River and Lifestyle Estate, as there are numerous synergies between these two processes;
- 2.24.2. Furthermore those areas, from which the removal of Silica Sand and Aggregates creates voids, will be reshaped and Landscaped into water features. This process will also involve the obtaining of a Water Use License, which process Greenmined has been briefed to carry out;

“Then to state as a closing objective “Is to develop the area into an eco-estate with residential and hospitality facilities on the banks of the Vaal River” does not make sense as this was the original intention of the applicant. It could only mean that after 30 years this will never happen as after the area has been mined out and mining scars left like in the surrounding area where previous mining was never rehabilitated due to mining operations going bankrupt and the land just left or abandoned. Due to this the whole surrounding areas will also just become desolate as no one would want to live near or look onto a landscape which has been scarred for life.”

- 2.25. MCCP’s intends on developing an Eco, River and Lifestyle Estate, for which Environmental Authorization has already been obtained;
- 2.26. I also refer you to paragraphs **2.20** to **2.24** above, and a copy of the Eco River and Lifestyle Estate Brochure (available on the Greenmined website: www.greenmined.com), which was discussed with I&AP’s at all Public Participating Meetings (None of which were attended by yourself);

“To state that mining is just an “interim land use” is untrue as 30 years is already a life time and that it will be conducted in a “sensitive manner” that will not have negative impact on the game.

- 2.27. All of the above are true;
- 2.28. We again remind you, that MCCP and the Landowner have common Directorship and Shareholding, and therefore it is in the interests of the landowner for the Mining Operations to be conducted in a sensitive manner, and with minimal negative impact on the Landowner’s existing game farming and agricultural activities;

No man made operations could ever rehabilitate an area to original nature state.

- 2.29. We are of the opinion, that the proposed development of a Eco, River and Lifestyle Estate by Goosebay Farm (Pty) Ltd, which is currently underway, will greatly improve the historically over

grazed areas on the farm and facilitate the removal of extensive over population by invader species (as well as the reintroduction of appropriate endemic Fauna and Flora);

- 2.30. Furthermore the large deposits of Silica Sand on the Farm, would not sustain high yield grasses and thus prevented optimal carry capacity on the farm. The reshaping of the anticipated voids into landscaped wetlands and water features, which will create a very accommodating environment for Game, waterfowl and game birds, will certainly be an improvement to the poorly grassed (low carry capacity) open Savannah plains which are currently subject to wind and storm water erosion;

In this statement it does not mention the negative impact on the surrounding land and people living there but rather refer to impact on game”

- 2.31. This is because we do not anticipate any negative impact on the surrounding area and people living there;
- 2.32. Mining will be conducted, on a very limited scale, using the Roll Over Method with concurrent rehabilitation. Less than **2%** of the surface area of Goosebay Farm (in access of 850ha total surface area) will be involved in active mining at any given time.

3. We again refer you to;

3.1 The Transcripts of the thorough and robust Public Participation Meetings held on **10 April 2021, 17 April 2021 and 21 April 2021**, copies of same enclosed herewith;

3.2. The Zoom recordings of all of these meetings and the meetings held on **24 April 2021**.

3.3. The Video graphic recordings of meetings held on **24 April 2021**.

4. We thank you for your valued comments as well as your participation in this process.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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

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Baker Square, Paardevelei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Martin Struwig [<mailto:martin@vaaloewer.co.za>]

Sent: Wednesday, April 21, 2021 3:56 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Marlene Lingenfelder <admin@greenmined.co.za>

Subject: FW: INTERESTED AND AFFECTED PARTY REGISTRATION FORM - PURE SOURCE MINE (FS 30/5/1/2/2/10048 MR) now MONTE CRISTO COMMERCIAL PARK (PTY) LTD ("MCCP") MINING PROJECT

Importance: High

Sonette & Marlene,

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 11:24 PM
To: Marlene Lingenfelder
Subject: FW: STRUWIG - Monte Cristo Commercial Park (Pty) Ltd ('MCCP') Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

From: Mail Delivery System [mailto:MAILER-DAEMON@vodamail.co.za]

Sent: Sunday, April 25, 2021 11:19 PM

To: Sonette Smit

Subject: Expanded: STRUWIG - Monte Cristo Commercial Park (Pty) Ltd ('MCCP') Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

Your message has been delivered to the following groups:

martin.vaalower@vodamail.co.za

Subject: FW: STRUWIG - Monte Cristo Commercial Park (Pty) Ltd ('MCCP') Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

MICHAEL GAADE

Marlene Lingenfelder

From: Sonette Smit
Sent: 23 April 2021 02:19 PM
To: Marlene Lingenfelder
Subject: Fw:Submission to Greenmined for 2 day extension for replies to MCCP's Application
Attachments: Submission to Greenmined Pg1.jpg; Submission to Greenmined Pg2.jpg

Vriendelike groete / Kind Regards
Sonette Smit
Managing Director

----- Original message -----

From: Sonette Smit <Sonette.S@greenmined.co.za>
Date: Thu, 22 Apr 2021, 8:35 pm
To: "Elsaine Costerus Mohr (Elsaine.cm@greenmined.co.za)" <Elsaine.cm@greenmined.co.za>
Subject: FW: Submission to Greenmined for 2 day extension for replies to MCCP's Application Response

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
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Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Michael Gaade [mailto:mjgaade@gmail.com]
Sent: Thursday, April 22, 2021 8:21 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: Submission to Greenmined for 2 day extension for replies to MCCP's Application

Good Evening Sonette,
Please see attached submission for your consideration.
Kind regards
Michael Gaade
Cell 082 568 6826

Submission to Greenmined Environmental on behalf of myself and Save the Vaal Environment (SAVE)

By Michael Gaade a committee member of SAVE

22.04.2021

I attended a meeting on 22 April 2021 to discuss the DEIAR and the EMPR for the Monte Christo Commercial Park Development. SAVE requests a short extension for two working days to the 28th April for reasons mentioned in the comments below. SAVE was originally an IAP and I as an individual was registered as an IAP in early 2018 when the BID meeting was held at Goose Bay Canyon. There were subsequently at least two EAPs who progressed this matter so far but were relieved of or abandoned their duties. I was definitely listed as an IAP by Shango Solutions and SLR Consulting. No further notice was given to me as an IAP until one of our Parys members (Mr Warrin Flores) sent a note round of the Zoom meeting which had been extended from the previous weekend due to time constraints. It appears that I personally did not receive any notice that was sent to SAVE.

There are three points that I would like to expand further but feel they should be put on record before the deadline tonight.

1. The sand washing process uses a considerable amount of water which was covered in the documents. However, in the discussion it also became apparent that water would be used for internal sand road dust suppression and the dampening down of vegetation which would be laid across the old workings to prevent dust until new growth appeared. In both of these processes no mention of quantities was discussed but as the two actions mentioned above would go on throughout the life of the mine, then this undetermined use of water would continue unabated.

2. The health effect of the dust caused by mining and transport of the sand and aggregate within the mine was discussed. A medical doctor (a specialist) explained that the levels measured which would migrate to any nearby communities had to be within the environmental specifications for particulate matter in the air. When asked what would happen when high winds occur in the six weeks between late July and early September, the answer was that the mine would have to ensure that the dust levels did not exceed these limits. There was no answer as to how the mine would be able to prevent this even if they stopped processing because of the exposed amount of sand that will be disturbed with the vegetation removed and areas that are not covered by damping down.
3. Although there was a traffic engineer who presented at the meeting stated that there had been a review with police and roads departments on the effect on the access roads by the sand trucks which depart loaded and return empty to the mine. When questioned it was stated by the expert that as the mine is in the Free State only those relevant depts had been contacted in their jurisdiction. As most of the product sand and aggregate is expected to be shipped to the more populous area of central and East Gauteng for the purposes that have been explained in the documentation, there has been no consideration given to the already damaging effect by existing smaller operations from other mines on certain roads which I defined during the meeting. The quantity of trucks envisaged by MCCP can only worsen an already critical situation on the said Gauteng Roads.

M J Gaade
Save the Vaal Environment (SAVE)
Cell 082 568 6826 or 083 286 3500

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 03:44 AM
To: mjgaade@gmail.com
Cc: Marlene Lingenfelder
Subject: FW: GAADE - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification
Attachments: Submission to Greenmined Pg1.jpg; Submission to Greenmined Pg2.jpg; MCCP DEIAR Notification; Notification Letter additional meeting 24 April 2021 (3-4); Location Public Notices 10 April Public Part MCCP 6 Apr 2021 v2 bp.pdf; Location Publ Notices for 24 Apr 2021 Publ Part Meeting MCCP Pty Ltd Mining Right App 21 April 2021 v3 bp.pdf
Importance: High

Dear Michael

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

1. The abovementioned matter and the correspondence received on WhatsApp (copies enclosed herewith), refer.
2. We hereby respond *seriatim* in **red font** to the partially numbered paragraphs of your abovementioned email, as set out hereunder:

"I attended a meeting on 21 April 2021 to discuss the DEIAR and the EMPR for the Monte Cristo Commercial Park Development. SAVE requests a short extension for two working days to the 28th April for reasons mentioned in the comments below. SAVE was originally an IAP and I as an individual was registered as an IAP in early 2018 when the BID meeting was held at Goose Bay Canyon. There were subsequently at least two EAPs who progressed this matter so far but were relieved of or abandoned their duties. I was definitely listed as an IAP by Shango Solutions and SLR Consulting. No further notice was given to me as an IAP until one of our Parys members (Mr Warrin Flores) sent a note round of the Zoom meeting which had been extended from the previous weekend due to time constraints. It appears that I personally did not receive any notice that was sent to SAVE."

2.1. There can unfortunately be no extension whatsoever, as Greenmined has been instructed by the DMRE to ensure that this Application is filed by 26 April 2021:

2.2. Adequate notice was given to all I&APs:

2.2.1. By way of emails (copies of same enclosed herewith), and;

2.2.2. By way of notices erected in the area (copy of reports enclosed herewith);

“There are three points that I would like to expand further but feel they should be put on record before the deadline tonight.”

2.3. We thank you for your participation in the process and for your questions raised. These questions will be forwarded to the DMRE, as part of the Draft Environmental Impact Assessment Report.

“1. The sand washing process uses a considerable amount of water which was covered in the documents. However, in the discussion it also became apparent that water would be used for internals and road dust suppression and the dampening down of vegetation which would be laid across the old workings to prevent dust until new growth appeared. In both of these processes no mention of quantities was discussed but as the two actions mentioned above would go on throughout the life of the mine, then this undetermined us of water would continue unabated.”

2.4. All water usages will be regulated by a Water Use License, which Greenmined has been appointed to apply for on behalf of MCCP.

“2. The health effect of the dust caused by mining and transport of the sand and aggregate within the mine was discussed. A medical doctor (a specialist) explained that the levels measured which would migrate to any nearby communities had to be within the environmental specifications for particulate matter in the air. When asked what would happen when high winds occur in the six weeks between late July and early September, the answer was that the mine would have to ensure that the dust levels did not exceed these limits. There was no answer as to how the mine would be able to prevent this even if they stopped processing because of the exposed amount of sand that will be disturbed with the vegetation removed and areas that are not covered by damping down.”

2.5. Dr Willie van Niekerk, is not a Medical Doctor, but rather a Toxicologist:

2.5.1. Dr van Niekerk explained to I&AP's including yourself, on Wednesday **17 April 2021**, that provided mitigation measures are followed, there is a very low risk of anyone being negatively affected by Silica Dust;

2.5.2. The Mitigation Measures proposed by Airshed, the relevant specialist, are set out in detail in Airshed's report, that can be found on Greenmined's website. We invite you to obtain details of the Dust Mitigation Measures there.

“3. Although there was a traffic engineer who presented at the meeting stated that there had been a review with police and roads departments on the effect on the access roads by the sand trucks which depart loaded and return empty to the mine. When questioned it was stated by the expert that as the mine is in

the Free State only those relevant depts had been contacted in their jurisdiction. As most of the product sand and aggregate is expected to be shipped to the more populous area of central and East Gauteng for the purposes that have been explained in the documentation, there has been no consideration given to the already damaging effect by existing smaller operations from other mines on certain roads which I defined during the meeting. The quantity of trucks envisaged by MCCP can only worsen an already critical situation on the said Gauteng Roads."

2.6. As stated elsewhere herein, an Application for Access to Public Roads, will have to be made by the Applicant, before it can access any Public Roads, in order to Mine:

2.6.1. As you correctly pointed out, a Traffic Engineer addressed the meeting at **17h00** on Wednesday **21 April 2021**;

2.6.2. This Traffic Engineer has compiled a detailed Traffic Impact Assessment;

2.6.3. Your concerns, as set out above, will be drawn to the attention of the Regulator, and to the relevant Roads Department Officials.

2.7. Furthermore, your concerns and comments, will form Part of the Draft Environmental Impact Assessment Report.

3. We trust you will find the above in order and we thank you for your participation in this regard.

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



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

Unit MO1, No 37 AECI site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Michael Gaade [<mailto:mjgaade@gmail.com>]

Sent: Thursday, April 22, 2021 8:21 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Subject: Submission to Greenmined for 2 day extension for replies to MCCP's Application

Good Evening Sonette,
Please see attached submission for your consideration.
Kind regards
Michael Gaade
Cell 082 568 6826

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 03:54 AM
To: Marlene Lingenfelder
Subject: FW: GAADE - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Monday, April 26, 2021 3:45 AM

To: Sonette Smit

Subject: Delivered: GAADE - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

Your message has been delivered to the following recipients:

mjgaade@gmail.com

Subject: FW: GAADE - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

NARDUS BUYS

Marlene Lingenfelder

From: Sonette Smit
Sent: 13 April 2021 01:19 PM
To: Marlene Lingenfelder
Subject: FW: Monte Christo to mine (Vaal Eden)

Importance: High

From: Nardus [mailto:nardus@braccanix.co.za]
Sent: Tuesday, April 13, 2021 12:08 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: Monte Christo to mine (Vaal Eden)
Importance: High

Hi Sonette

Hoop dit gaan goed,

Kan ek asb plek bespreek vir die 7h00 vergadering komende Saterdag?

Groete



Nardus Buys

082-373-7719
BRACCANIX (Pty) Ltd

Reg No: 2015/084189/07
Vat No: 444 0273 441|

Marlene Lingenfelder

From: Sonette Smit
Sent: 13 April 2021 05:41 PM
To: Nardus
Cc: Marlene Lingenfelder
Subject: RE: Monte Christo to mine (Vaal Eden)

Good day Nardus,

1. The above matter as well as the email received from you dated 13 April 2021 at 1:46 PM refers.
2. We have taken the liberty of continuing our comments in English for ease of review purposes, we trust that you find this in order.
3. We refer you to paragraph 4 and 5 of our notification dated 12 April 2021 at 8:10 PM and also copied hereunder:

"4. In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the 17 April 2021 Physically at the following times, at the location set out hereunder:

*4.1 **7:00 – 9:00 – Eden Manor situate at Plots1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road), District Parys GPS Coordinates - 26.771611S, 27.642725E***

*4.2 **13:00 – 15:00 – Eden Manor situate at Plats 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road), District Parys GPS Coordinates - 26.771611S, 27.642725E***

*5. The arrangement for Qualifying I&APs to attend the **Meetings on 17 April 2021 Physically** has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi."*

4. Please confirm that you do not have the above mentioned resources in order for us to make provision for you to attend the meeting Physically (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Nardus [mailto:nardus@braccanix.co.za]
Sent: Tuesday, April 13, 2021 1:46 PM

PAUL FOULKES

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 12:24 PM
To: Marlene Lingenfelder
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

From: Paul Foulkes [<mailto:paul.foulkes@mweb.co.za>]

Sent: Monday, April 19, 2021 12:08 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Gavin About <gavinabout@vodamail.co.za>

Subject: Fw: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

RE. Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation Meeting scheduled to be held on 17 April 2021 at 07h00

Hi Sonette.

With regard to the above scheduled meeting, which I attended, I wish to state the following:-

The people conducting this meeting were not prepared, the "ZOOM" facility for our virtual attendees was not functional and in my opinion the venue was also not properly prepared, documentation was also not available and only "appeared" after many people had left. All amounting to what I would class as a complete shambles and disgrace when you consider the importance of why we were there. This proposed development has huge consequences not only for the local residents but for the overwhelming impact on the local Environment.

In addition to the above, I have received a forwarded copy of your e.mail in which you state that we ELECTED to leave the meeting, when in fact we were told to leave by the Chairman as the meeting had been CANCELLED. I think you should formally acknowledge this fact in writing.

With regard to your suggestion that we attend a meeting on the 24th APRIL as described in point 4.2 of your e.mail as follows:-

4.2. Lindequesdrift/Vaal Oewer Informal Settlement – On open Land immediately adjacent to Lindequesdrift (Vaal Oewer) informal settlement, North West Province, on main road (Open Space approximately 750m south from the Vaal Oewer entrance - GPS Co-ordinates -26,7309250, 27,5842210 at 11:00 – 12:00.

It is really scary and flippant of you to expect IAP's to stand in the Veld and discuss ALL of the CONCERNS and OBJECTIONS to this proposed development without any VISUAL AIDS etc and all within an allocated time frame of ONE HOUR!

Finally, I have not received any communication from you regarding the rescheduling of this cancelled meeting and as an IAP, I do not relinquish my right to attend a make-up, physical meeting. Please advise, with 2 weeks notice, when this will take place.

PAUL FOULKES.
VAALOEWER

RE. Monte Cristo Commercial Park Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification – Public Participation Meeting scheduled to be held on 17 April 2021 at 07h00

Hi Sonette.

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Finally, I have not received any communication from you regarding the rescheduling of this cancelled meeting and as an IAP, I do not relinquish my right to attend a make-up, physical meeting. Please advise, with 2 weeks notice, when this will take place.

PAUL FOULKES.
VAALOEWER

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 08:43 AM
To: paul.foulkes@mweb.co.za
Cc: Marlene Lingenfelder
Subject: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation
Attachments: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation ; Transcript 10 April 2021 Public Participation Meeting.pdf; Transcript 17 April 2021 Public Participation Meeting.pdf; Transcript 21 April 2021 Public Participation Meeting.pdf

Dear Mr. Foulkes,

Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

1. The above matter and your email dated **19 April 2021 12:08 PM**, as set out below, refer.
2. We hereby respond seriatim in **red font** to the unnumbered paragraphs of your abovementioned email, as set out below.

"The people conducting this meeting were not prepared, the "ZOOM" facility for our virtual attendees was not functional and in my opinion the venue was also not properly prepared, documentation was also not available and only "appeared" after many people had left. All amounting to what I would class as a complete shambles and disgrace when you consider the importance of why we were there. This proposed development has huge consequences not only for the local residents but for the overwhelming impact on the local Environment"

- 2.1. We note your discontent with regards to the meeting arranged for Saturday, **17 April 2021, at 07h00**. Furthermore, we also note your assertion that the venue was not prepared for the meeting.
- 2.2. We must record that several tests of the technological systems and facilities to be used at the aforementioned Public Participation Meeting had been conducted on **16 April 2021**, which tests had indicated that the system and facilities would be more than sufficient and function perfectly;
 - 2.2.1. It is accordingly unclear to us as to why we experienced the difficulties that we did at the meeting scheduled to take place on Saturday, **17 April 2021, at 07h00**;
 - 2.2.2. We are advised that certain I&APs, by unnecessarily joining the Zoom Virtual Meeting, whilst attending the Physical Meeting, via Zoom, caused the interference on Zoom, which prevented the meeting going ahead – this action by the I&APs, could not be guarded against or prevented by Greenmined;
 - 2.2.3. Our concerns in this regard, are borne out by the following facts:
 - 2.2.3.1. Greenmined retained the services of a highly experienced IT Consultant, to set the equipment up to facilitate the Zoom Meeting;
 - 2.2.3.2. State of the art equipment was hired and brought to the meeting venue;
 - 2.2.3.3. All of the abovementioned equipment functioned perfectly during testing the night before the meeting on Saturday **17 April 2021 at 07h00**;

2.2.4. Nonetheless, we herewith once again apologize for any inconvenience caused in this regard;

“In addition to the above, I have received a forwarded copy of your e.mail in which you state that we ELECTED to leave the meeting, when in fact we were told to leave by the Chairman as the meeting had been CANCELLED. I think you should formally acknowledge this fact in writing.”

2.3. Please note that numerous requests to be patient, were made by the Chairman to I&APs who attended the meeting to be held on Saturday **17 April 2021** at **07h00**, as the sound team was in the process of attending to the technological issues:

2.3.1. The Chairman requested, that I&APs who were on Zoom continue with the meeting Virtually. Without providing any reasons, Virtual attendees to the meeting voted that the meeting be cancelled;

2.4. All I&APs who attended the meeting on Saturday, **17 April 2021**, at **07h00**, were again invited to attend the meeting held on Saturday, **17 April 2021**, at **13h00**, either physically or virtually, as follows:

2.4.1. In person by the Managing Director of MCCP, Mark van Wyk at the meeting held on Saturday **17 April 2021** at **07h00**;

2.4.2. By way of an email sent to you by Greenmined on Saturday **17 April 2021** at **10h49** (copy of same enclosed herewith);

2.4.3. By way of a telephone call and SMS, likewise on Saturday **17 April 2021** at approximately **12h00**.

“With regard to your suggestion that we attend a meeting on the 24th APRIL as described in point 4.2 of your e.mail as follows:-

4.2. Lindequesdrift/Vaal Oewer Informal Settlement – On open Land immediately adjacent to Lindequesdrift (Vaal Oewer) informal settlement, North West Province, on main road (Open Space approximately 750m south from the Vaal Oewer entrance - GPS Co-ordinates -26,7309250, 27,5842210 at 11:00 – 12:00.

It is really scary and flippant of you to expect IAP's to stand in the Veld and discuss ALL of the CONCERNS and OBJECTIONS to this proposed development without any VISUAL AIDS etc and all within an allocated time frame of ONE HOUR!”

2.5. An additional virtual meeting was furthermore held on **21 April 2021**, at **17h00**:

2.5.1. You were invited to attend this meeting, by way of the abovementioned Greenmined email sent to you on Saturday **17 April 2021** at **10h49**;

2.5.2. You never responded to the abovementioned invitation, nor did you attend the meeting

2.6. We confirm that in an effort to assist all I&APs, the transcriptions of the Public Participation Meetings held on **10 April 2021** and **17 April 2021** at **13h00**, have been made available to all registered I&APs;

2.6.1. The concerns raised by you in your aforementioned email, were dealt with during the Public Participation Meetings as above;

2.6.2. The transcriptions of the above meeting, clearly reflect the detail in which these issues were dealt with;

2.6.3. Only I&APs who were registered to attend the meetings were sent the transcriptions.

2.7. We nonetheless, again attach the aforementioned Transcriptions, and the transcription of the meeting held on **21 April 2021**, for your ease of reference.

- 2.8. We refer you to the transcriptions of the meetings held as above, as your concerns have to a large extent been addressed during the Public Participation Meetings. To the extent that your concerns are not dealt with by the contents of the abovementioned transcriptions, we hereby deal with same herein.
- 2.9. Please also note that the meetings to be held on **24 April 2021**, at the Barrage and Lindequesdrift informal settlements, were arranged for the sole purpose of informing the community members, who have access to neither computers nor WiFi, of the abovementioned application and to obtain their comments and concerns;
- 2.10. We confirm that arrangements were made, to provide all I&APs that attended the aforementioned meetings on **24 April 2021**, with the very selfsame relevant materials and resources, which were provided to all I&APs at previous Public Participation Meetings.

"Finally, I have not received any communication from you regarding the rescheduling of this cancelled meeting and as an IAP, I do not relinquish my right to attend a make-up, physical meeting. Please advise, with 2 weeks notice, when this will take place"

- 2.11. All I&APs who intended on attending the meeting on Saturday, **17 April 2021**, at **07h00**, were again invited to attend the meeting held on Saturday, **17 April 2021**, at **13h00**, either physically or virtually (all as set out above);
- 2.12. An additional virtual meeting was also held on **21 April 2021**, at **17h00**, which you were also invited to;
- 2.13. We note however, that you did not elect to attend any of the abovementioned additional meetings, as your name is not reflected on the attendance register.
3. We thank you for your participation in this process and we confirm that your comments will form part of the final report to be submitted to the competent authority.

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



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Cell: 084 5855706
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"the goal isn't to live forever, it is to protect a planet that will"

From: Paul Foulkes [<mailto:paul.foulkes@mweb.co.za>]

Sent: Monday, April 19, 2021 12:08 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Gavin Aboud <gavinaboud@vodamail.co.za>

Subject: Fw: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 08:44 AM
To: Marlene Lingenfelder
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Sunday, April 25, 2021 8:43 AM

To: Sonette Smit

Subject: Delivered: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

Your message has been delivered to the following recipients:

paul.foulkes@mweb.co.za

Subject: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification - Public Participation

PAUL KGOLE

Marlene Lingenfelder

From: Sonette Smit
Sent: 30 March 2021 02:05 PM
To: Paul Kgole
Cc: Marlene Lingenfelder
Subject: RE: MCCP DEIAR Notification

Good day Paul,

MCCP DEIAR Notification – Meeting registration.

1. Thank you for registering for the public participation meeting of 10 April 2021 for the above mentioned project.
2. A link to the meeting will be send to you after the closing of the meeting registration period.

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

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

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Suite 62, Private Bag x15
Somerset West, 7129

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

From: Paul Kgole [mailto:paulkg@vodamail.co.za]
Sent: Tuesday, March 30, 2021 2:01 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: RE: MCCP DEIAR Notification

Hi Sonette

Please register me.

Regards

PAUL KGOLE
248 Vaaloewers
076 390 9279

From: Sonette [mailto:sonette.s@greenmined.co.za]
Sent: Friday, March 19, 2021 4:16 PM

Marlene Lingenfelder

From: Paul Kgole <paulkg@vodamail.co.za>
Sent: 22 April 2021 06:11 AM
To: 'Liz Charles'; Sonette Smit
Cc: 'Abrie Hanekom Vaaloewer'; 'Anne Wilson'; 'Aragea Holland-Fredericks'; 'Chakane'; 'Chris Campbell'; 'Cindy Aboud'; 'Craig Richardson'; 'Di Stevens (Vaaloewer)'; 'Dina'; 'Duan Jacobs'; 'Frans Van der Merwe'; 'Gavin Aboud'; 'Hanlie Stander'; 'Louis Kruger'; 'Magda Rijksen'; 'Marianne Bilsland'; 'Mariette Liefferink'; 'Martin Struwig'; 'Mcebo Mkhathshwa'; 'Nardus Buys'; 'Philip Hartsliet'; 'Pieter Hattingh'; 'Protect Vaal Eden'; 'Renee Hartsliet'; 'Sampie van Rooyen'; 'Sean Hunter and Heather Ubsdell'; 'Stephan Fick / Johan and Susan Malan'; 'Veronica Withers'; 'Warrin'; 'Yusuf Dadabhay'; Marlene Lingenfelder; esther63kgole@yahoo.com; Esther Kgole; majutepaul@gmail.com
Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Liz

Well said and fully supported.

I did attend the zoom meeting last night from 5pm to 8h30pm.

From the presentations made, I got the feeling that this mining project is too weighted towards commercial interests and profit and not human life.

I reminded the meeting of the great idiom from the Engineering Council of South Africa (ECSA) Code of Conduct for Registered Persons, Clause 3.4 (b) and I quoted;

"Environment - Registered Persons must at all times strive to ensure that in meeting present development needs, the ability of future generations to meet their needs is not compromised"

It is my considered view that all the Engineers, Architects and Scientists who made presentations and indeed the mining project itself, are in breach of the above Code of Conduct, and are strategically orchestrating clandestine genocide against the community, and more dangerously, the future of the children.

SONETTE – please take note of my comments.

Kind regards

PAUL KGOLE PrQS

076 390 9279

From: Liz Charles [mailto:liz.tuxx@gmail.com]

Sent: Wednesday, April 21, 2021 6:54 PM

To: Sonette Smit

Cc: Abrie Hanekom Vaaloewer; Anne Wilson; Aragea Holland-Fredericks; Chakane; Chris Campbell; Cindy Aboud; Craig Richardson; Di Stevens (Vaaloewer); Dina; Duan Jacobs; Frans Van der Merwe; Gavin Aboud; Hanlie Stander; Louis Kruger; Magda Rijksen; Marianne Bilsland; Mariette Liefferink; Martin Struwig; Mcebo Mkhathshwa; Nardus Buys; Paul Kgole; Philip Hartsliet; Pieter Hattingh; Protect Vaal Eden; Renee Hartsliet; Sampie van Rooyen; Sean Hunter and Heather Ubsdell; Stephan Fick / Johan and Susan Malan; Veronica Withers; Warrin; Yusuf Dadabhay; Marlene Lingenfelder

Subject: Re: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Good afternoon Sonette

I am not able to attend any Zoom meetings and am not willing to sit for an hour in the veld (I am 66 and husband 73)

I was also at the meeting on 17 April where we were told by the Chairman that the meeting was cancelled, plus the timing of the meeting was insane!

However, I would like to put the following objection on record.

I have been an active estate agent in Vaaloewer for 18 years. During this time I've sold many houses as well as vacant properties.

People who buy are overwhelmingly those who are in search of an element that cannot be found in cities. This is something that can't be quantified, nor measured.

It is an internal state of mind of peace and quiet

Tranquility

Serenity

A stillness and calmness

You may even be interested to know we actually have a complex in Vaaloewer which is named 'Tranquility Paradise'

Some of our clients expressed the feeling that as they drive through those entrance gates a feeling of peace envelopes them.

Just as a matter of interest I did a little survey amongst previous clients and gave the choice of 8 reasons, (of which they could choose more than 1) why they bought in Vaaloewer

These were the results

72% said they mainly bought here for the peacefulness, only after that came things like Nature, etc.

The proposed mine, as the crow flies, is only around 1 km from the banks of our river. Only an extremely uninformed person could think this will not affect the residents of Vaaloewer in a bad way. The very reason we bought here will be lost.

I would also like to add, that in terms of law, every agent must disclose to a purchaser possible defects in a property or location.

I have personally already lost a buyer who was on the point of signing a purchase agreement for a stand and two houses but changed their mind when they were informed about the proposed mine (this in 2018) What on earth will be the reaction if I must tell buyers of the possibility of a huge mine which could last for 40 YEARS!

Our Sense of Place will be destroyed.

I STRONGLY OBJECT TO ANY MINING ACTIVITY SO CLOSE TO HOME... and by the way your logo is a joke ... **"the goal isn't to live forever, it is to protect a planet that will"**

Regards,

Elizabeth Janse van Rensburg
Owner of Liz Charles Estates

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 04:23 PM
To: Paul Kgole
Cc: Marlene Lingenfelder
Subject: FW: KGOLE -Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Mr. Kgole,

1. The above matter and your email, dated **22 April 2021** 06:11 AM, as set out below, refer.
2. We hereby respond seriatim in **red font** to the unnumbered paragraphs of your abovementioned email, as set out below:

"I did attend the zoom meeting last night from 5pm to 8h30pm."

- 2.1. We would like to thank you for attending the Zoom meeting on **21 April 2021**, at **17h00** and we thank you for your engagement with us;
- 2.2. Herewith, we confirm receipt of your comments set out more fully in your correspondence under reply, and we hereby also confirm that your comments have been noted and will be included in the final report for submission to the competent authority.

"From the presentations made, I got the feeling that this mining project is too weighted towards commercial interests and profit and not human life."

- 2.3. Your sentiments are noted. However:

2.3.1. The Applicant commissioned leading experts to conduct studies with regards to Air Pollution, Noise Pollution and Toxicology:

2.3.1.1. All of these experts (both in their reports and during their presentations), clearly confirmed, that provided mitigation measures are followed, the project will fall within acceptable limits;

2.3.1.2. Furthermore, you have not provided any objective grounds whatsoever for you abovementioned "feeling" or opinion, despite:

2.3.1.2.1. Your being provided with all the Specialist Reports, for you to refer to, and form an opinion in relation to;

2.3.1.2.2. You yourself, NOT being a lay person, but rather a Graduate PQS, thus a Professional Person associated with a related Industry, and accordingly thus familiar with, and capable of, applying your mind to documents of a scientific or technical nature;

2.3.2. The aesthetic and other interest of residents of the area, must be balanced against a multitude of other relevant considerations, including:

2.3.2.1. The stimulus to be provided to the National Fiscus and Economy, through the Mining and beneficiation of inter alia, Silica Sand, which is a strategic resource;

- 2.3.2.2. The income to be generated for the good of the Country, through Income Taxes and Royalties payable by the Applicant;
- 2.3.2.3. The realisation of the objectives of the Mining Charter, to the benefit of historically previously disadvantaged persons;
- 2.3.2.4. The direct stimulus to the Local Economy through the creation of jobs in the area (the Applicant will actively seek to employ inhabitants of the surrounding areas, and train and upskill such people as much as possible);
- 2.3.2.5. Through indirect stimulation to the National Economy, by the Mine being integrated into the Vertical and Horizontal mining value chain.

"I reminded the meeting of the great idiom from the Engineering Council of South Africa (ECSA) Code of Conduct for Registered Persons, Clause 3.4 (b) and I quoted;

"Environment - Registered Persons must at all times strive to ensure that in meeting present development needs, the ability of future generations to meet their needs is not compromised"

- 2.4. We thank you for bringing these noble and altruistic sentiments to the attention of all, and wish to align ourselves with such sentiments;
- 2.5. We wish further to record, that it is our duty, having regard to the abovementioned DEIAR and the Public Participation Process, to take note of all I&AP's comments raised in relation thereto, and to include same in the final report to be submitted to the competent authority for consideration.

"It is my considered view that all the Engineers, Architects and Scientists who made presentations and indeed the mining project itself, are in breach of the above Code of Conduct, and are strategically orchestrating clandestine genocide against the community, and more dangerously, the future of the children."

- 2.6. It is not, however, within our mandate or authority to respond to the views expressed in your abovementioned email in relation to the conduct of the Specialists, and our lack of response thereto must not be construed as an admission (partial or otherwise), thereof.
- 2.7. We must however place on record, that we object in the most strenuous terms possible, to your associating us with the term "clandestine genocide", and suggesting we are doing anything improper, without
 - 2.7.1. Providing any proof whatsoever of such wrongdoing;
 - 2.7.2. Your advising what you considered, in order to arrive at your view.

"SONETTE – please take note of my comments."

2.8. Noted.

3. Thank you for your participation in this process.

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



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Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

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Suite 62, Private Bag x15
Somerset West, 7129

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

From: Paul Kgole [<mailto:paulkg@vodamail.co.za>]

Sent: Thursday, April 22, 2021 6:11 AM

To: 'Liz Charles' <liz.tuux@gmail.com>; Sonette Smit <Sonette.S@greenmined.co.za>

Cc: 'Abrie Hanekom Vaaloewer' <marlene@kruppeng.co.za>; 'Anne Wilson' <candyz@iafrica.com>; 'Aragea Holland-Fredericks' <hollandgea@gmail.com>; 'Chakane' <chakanes@feziledabi.gov.za>; 'Chris Campbell' <chris@cesa.co.za>; 'Cindy Aboud' <cindy.aboud@vodamail.co.za>; 'Craig Richardson' <cmrich@mweb.co.za>; 'Di Stevens (Vaaloewer)' <edstevens@telkomsa.net>; 'Dina' <dina.henstock@gmail.com>; 'Duan Jacobs' <duan.jacobs@sasol.com>; 'Frans Van der Merwe' <frans.vandermerwe@telkomsa.net>; 'Gavin Aboud' <gavinaboud@vodamail.co.za>; 'Hanlie Stander' <HanlieS@jse.co.za>; 'Louis Kruger' <krugerskroon@gmail.com>; 'Magda Rijksen' <mrijksen@telkomsa.net>; 'Marianne Bilsland' <marianne@fixeng.co.za>; 'Mariette Liefferink' <mariette@pea.org.za>; 'Martin Struwig' <martin.vaaloewer@vodamail.co.za>; 'Mcebo Mkhathshwa' <mcebom@feziledabi.gov.za>; 'Nardus Buys' <nardus@braccanix.co.za>; 'Philip Hartslielief' <bobh@dullies.com>; 'Pieter Hattingh' <pieter.hattingh@sibanyestillwater.com>; 'Protect Vaal Eden' <protectvaal eden@googlegroups.com>; 'Renee Hartslielief' <renee@bundunet.com>; 'Sampie van Rooyen' <svr@envmvp.com>; 'Sean Hunter and Heather Ubsdell' <heatherkate63@gmail.com>; 'Stephan Fick / Johan and Susan Malan' <stephanfick@gmail.com>; 'Veronica Withers' <nickiwithers@gmail.com>; 'Warrin' <warrinf@gmail.com>; 'Yusuf Dadabhai' <YusufD@plazaboard.co.za>; Marlene Lingenfelder <admin@greenmined.co.za>; esther63kgole@yahoo.com; Esther Kgole <esther63kgole@gmail.com>; majutepaul@gmail.com

Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification – Public Participation

Dear Liz

Well said and fully supported.

I did attend the zoom meeting last night from 5pm to 8h30pm.

From the presentations made, I got the feeling that this mining project is too weighted towards commercial interests and profit and not human life.

I reminded the meeting of the great idiom from the Engineering Council of South Africa (ECSA) Code of Conduct for Registered Persons, Clause 3.4 (b) and I quoted;

“Environment - Registered Persons must at all times strive to ensure that in meeting present development needs, the ability of future generations to meet their needs is not compromised”

It is my considered view that all the Engineers, Architects and Scientists who made presentations and indeed the mining project itself, are in breach of the above Code of Conduct, and are strategically orchestrating clandestine genocide against the community, and more dangerously, the future of the children.

SONETTE – please take note of my comments.

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 04:25 PM
To: Marlene Lingenfelder
Subject: FW: KGOLE -Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

From: Mail Delivery System [mailto:MAILER-DAEMON@vodamail.co.za]

Sent: Sunday, April 25, 2021 4:24 PM

To: Sonette Smit

Subject: Expanded: KGOLE -Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Your message has been delivered to the following groups:

paulkg@vodamail.co.za

Subject: FW: KGOLE -Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

RENEE HARTSLIEF

Marlene Lingenfelder

From: Renee de Jong Hartsliet <renee@bundunet.com>
Sent: 13 April 2021 06:36 PM
To: Sonette Smit
Cc: Abrie Hanekom Vaaloewer; Bob; Chris; Cindy; Craig; Dina; Gavin Aboud; Louis Kruger; Marlene Lingenfelder; Pieter; liz; warrin
Subject: Re: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Dear Sonette,

There is no such thing as a “qualified” I&AP.

We are in discussions with your venue of choice to ensure Covid compliance.

I will be attending the physical meeting at 07:00 on Saturday morning at Eden Manor.

Regards,

Renee

On Tue, 13 Apr 2021 at 17:50, Sonette Smit <Sonette.S@greenmined.co.za> wrote:

Good day Gavin,

1. The above matter as well as the email received from you dated 13 April 2021 at 3:54 PM refers.
2. We refer you to paragraph 4 and 5 of our notification dated 12 April 2021 at 8:10 PM and also copied hereunder:

*“4. In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the **17 April 2021** Physically at the following times, at the location set out hereunder:*

4.1 7:00 – 9:00 – Eden Manor situate at Plots1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road), District Parys GPS Coordinates - 26.771611S, 27.642725E

4.2 13:00 – 15:00 – Eden Manor situate at Plats 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road), District Parys GPS Coordinates - 26.771611S, 27.642725E

*5. The arrangement for Qualifying I&APs to attend the **Meetings on 17 April 2021** Physically has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi.”*

Marlene Lingenfelder

From: Renee de Jong Hartsliet <renee@bundunet.com>
Sent: 13 April 2021 07:12 PM
To: Sonette Smit
Cc: Abrie Hanekom Vaaloewer; Bob; Chris; Cindy; Craig; Dina; Gavin Aboud; Louis Kruger; Marlene Lingenfelder; Pieter; liz; warrin
Subject: Re: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Further, we insist that the cumulative impact studies previously done by your own experts, EnviroWorks, are included in your presentation. These are the Socio and Environmental Impact Studies that clearly indicate that that additional burdens to our roads, environment and life-style cannot be approved for the greater good of our communities.

Thanks,
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3. Please confirm that you do not have the above mentioned resources in order for us to make provision for you to attend the meeting Physically (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

www.greenmined.com

Unit MO1, No 37 AECI site

Baker Square, Paardevlei

De Beers Avenue

Somerset West, 7130

Suite 62, Private Bag x15

Somerset West, 7129

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

From: Gavin Aboud [mailto:gavinaboud@vodamail.co.za]

Sent: Tuesday, April 13, 2021 3:54 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Abrie Hanekom Vaaloeuw <marlene@kruppeng.co.za>; Bob <bobh@dullies.com>; Chris

Marlene Lingenfelder

From: Renee de Jong Hartsliet <renee@bundunet.com>
Sent: 17 April 2021 12:30 PM
To: Sonette Smit
Cc: Abrie Hanekom Vaaloewer; Anne Wilson; Aragea Holland-Fredericks; Chakane; Chris Campbell; Cindy Aboud; Craig Richardson; Di Stevens (Vaaloewer); Dina; Duan Jacobs; Frans Van der Merwe; Gavin Aboud; Hanlie Stander; Liz; Louis Kruger; Magda Rijksen; Marianne Bilsland; Mariette Liefferink; Marlene Lingenfelder; Martin Struwig; Mcebo Mkhathswa; Nardus Buys; Paul Kgole; Philip Hartsliet; Pieter Hattingh; Protect Vaal Eden; Sampie van Rooyen; Sean Hunter and Heather Ubsdell; Stephan Fick / Johan and Susan Malan; Veronica Withers; Warrin; Yusuf Dadabhay
Subject: Re: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Sonette,

I do not have WiFi and I responding to this email in haste and on my phone:

A) We did NOT ELECT to leave the meeting this morning - it was called off by your Chairperson (I have the video), who told us that we must leave.

B) It was not only technology problems that caused this disaster: your team was woefully unprepared.

C) Please immediately send the COVID-19 attendance register - you did not have one for the public participation, which is astounding (and probably not legal).

D) I have NOT BEEN CONTACTED about attending the meeting due to start in 30 minutes. Therefore, I will attempt to join by phone. PLEASE SEND THE LINK. I do NOT RELINQUISH my right to attend a make-up, physical meeting (for the one you bungled so spectacularly) and require 2-weeks advance notice.

Again, I apologise for my haste - I'm sure you will understand.

Regards
Renee

On Sat, 17 Apr 2021 at 10:49, Sonette Smit <Sonette.S@greenmined.co.za> wrote:

Dear Interested and Affected Party,

Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation Meeting

1. The above matter as well as the Public Participation Meeting scheduled to take place Virtually and Physically on 17 April 2021 at 07h00 refer.

Marlene Lingenfelder

From: Sonette Smit
Sent: 22 April 2021 10:17 PM
To: 'Brian Macgregor (Secretary)'; Elsaine Costerus Mohr; Goosebay Canyon Farm; Ilse Dicks; Marlene Lingenfelder; mdvldc (mdvldc@vldc.co.za); Michael Cocks; Peter Roux; Robert Schimpers; VLDC Secretary; Zoe Norwal
Subject: FW: LETTER OF SUPPORT OPPOSING MINING RIGHTS IN THE VAAL EDEN AREA

FYI

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Renee de Jong Hartsliet [mailto:renee@bundunet.com]
Sent: Thursday, April 22, 2021 9:37 PM
To: Protect Vaal Eden <protectvaal eden@googlegroups.com>; Sonette Smit <Sonette.S@greenmined.co.za>; Trixie Botha <trixie.kitshoff@gmail.com>
Subject: Re: LETTER OF SUPPORT OPPOSING MINING RIGHTS IN THE VAAL EDEN AREA

Thank you so much Erich, Trixie and the entire Lapa Manzi community!!
Forwarded as received...
Warm regards,
Renee Hartsliet

On Thu, 22 Apr 2021 at 20:24, Trixie Botha <trixie.kitshoff@gmail.com> wrote:

Dear Renee De Jong,

LAPA MANZI WORKING COMMITTEE –

LETTER OF SUPPORT TO: “PROTECT THE VAAL EDEN GROUP” AND INCLUDING YOURSELF

On behalf of the LAPA MANZI WORKING COMMITTEE (LMWC), we request you to add the support of all 54 homeowners, and in addition, their spouses, employees and visitors (family and friends) to the “PROTECT THE VAAL EDEN GROUP” to oppose/stop the application for mining rights in the VAAL EDEN area.

If requested, we will be happy to provide individual signatures in support of **your** and **our** endeavors.

Let it be known that the LAPA MANZI residents and visitors to the VAAL EDEN AREA have suffered at the hands of the current mine, SWEET SENSATION, in terms of the destruction of infrastructure and roads, which has a direct bearing on damage to our vehicles, personal safety, financial losses, including loss of property value which has caused emotional stress. All of the above are in direct conflict to our Constitutional Right to live in a safe environment, and ensuring our Human Rights and Environmental Rights are protected.

Risks

The infrastructure leading from the current mine to Sasolburg, Vanderbijlpark and to the freeways has been severely compromised and relevant authorities have no plan in place or any finances to repair any of the already damaged roads.

The approval of the new mine will further ensure the continued destruction of the already compromised roads and bridges.

There is no recourse for claiming damages for the residents, visitors or businesses, to the area, as well as surrounding areas.

Summary

Please add this letter of support to your current support group "PROTECT THE VAAL EDEN", in an effort to stop the mining rights.

Regards,

Chairman - Harko Mulder

Committee Member - Rudy Liebenberg

--

Sent from Gmail Mobile Renee de Jong Hartsliet +27 71 448-4332

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

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

From: Gavin Aboud [mailto:gavinaboud@vodamail.co.za]

Sent: Tuesday, April 13, 2021 3:54 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Bob <bobh@dullies.com>; Chris <chrisc@cesa.co.za>; Craig <craigrichardson100@gmail.com>; Dina <dina.henstock@gmail.com>; liz <liz.tuxx@gmail.com>; Louis Kruger <krugerskroon@gmail.com>; Pieter <pieter.hattingh@sibanyestillwater.com>; Renee <renee@bundunet.com>; warrin <warrinf@gmail.com>; Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Cindy <cindy.aboud@vodamail.co.za>

Subject: RE: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Good Day,

I will attend the meeting at Eden Manor at 7h00

Gavin Aboud

Chairman:Protect Vaal Eden Committee

Non-Executive Director : FSE



083 281 5045

From: Sonette Smit [<mailto:Sonette.S@greenmined.co.za>]

Sent: 12 April 2021 08:11 PM

Subject: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd (“MCCP”) Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs, MCCP has arranged **Meetings on Saturday 17 April 2021**, which I&APs will be able to attend either Virtually, or Physically, subject to what is set out in detail hereunder.

1.1 Participants attending the Meetings Virtually will be able to interact with participants attending the Meetings Physically, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator.

1.2 Participants attending the Meetings Physically will be able to interact with participants attending the Meetings Virtually, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting

Facilitator, since the Physical Meeting will be livestreamed to Virtual Meeting Participants.

1.3 I&APs are respectfully requested to advise, whether they will be attending the Meetings, Virtually or Physically, and at what times.

Zoom Virtual Public Participation Meeting

2. In the event that you wish to attend either meeting Virtually, please find herewith the Zoom links to the **Virtual Public Participation Meetings** to be held on **17 April 2021** to discuss the **Draft Environmental Impact Assessment Report (“DEIAR”)** and **Environmental Management Programme (“EMPR”)** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Kindly confirm which one of the two (2) Virtual Meetings you would like to attend:

Meeting 1

Date: Saturday 17 April 2021

Time: 07h00-9h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 07:00 AM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/97205183467?pwd=ck00UHFuR0lYTUpENnQxSkVKYjhIZz09>

Meeting ID: 972 0518 3467

Passcode: 383153

One tap mobile

+27214268191,,97205183467# South Africa

+27875503946,,97205183467# South Africa

Meeting 2

Date: Saturday 17 April 2021

Time: 13h00-15h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 01:00 PM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/95708237905?pwd=V29NNFF1bkg2NktKc3ZRWGZMQjIRZz09>

Meeting ID: 957 0823 7905

Passcode: 348742

One tap mobile

+27875517702,,95708237905# South Africa

+27214268190,,95708237905# South Africa

3. Please ensure

3.1 You are online and connected 10 minutes before the meeting starts.

3.2 You have the most recent version of Zoom, as with an older version you may have connection or audio/video issues and be unable to participate effectively or at all.

3.3 That the device you are logging in with has a registered name to permit access.

Physical Public Participation Meeting – Eden Manor situate at Plots 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road).

4. In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the **17 April 2021** Physically at the following times, at the location set out hereunder:

4.1 **7:00 – 9:00** – Eden Manor situate at **Plots1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**

4.2 **13:00 – 15:00** – Eden Manor situate at **Plats 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**

5. The arrangement for Qualifying I&APs to attend the **Meetings on 17 April 2021** Physically has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi. Accordingly:

5.1 Please do not attend the Meetings Physically, if you are able to attend any of the **meetings Virtually**.

5.2 Please note that this request, is to provide an opportunity specifically for those I&AP's, who do not have access to the above mentioned resources (as set out more fully in clause 2 above), to participate in the process, and not be excluded due to a lack of resources.

5.3 It is intended that the ability of I&APs to attend the meetings be held on **17 April 2021** (as set out above) Physically will enable said I&AP's, to participate in the public consultation and information provision process. (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

6. We thank you in advance for your cooperation, look forward to interacting with you.

7. If you are experiencing problems on the day, please be kind enough to send a message via **WHATSAPP to 084 585 5706**, as we will be unable to take calls while administering a meeting.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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

--

Sent from Gmail Mobile Renee de Jong Hartslief +27 71 448-4332

--

Sent from Gmail Mobile Renee de Jong Hartslief +27 71 448-4332

Marlene Lingenfelder

From: Sonette Smit
Sent: 21 April 2021 09:44 AM
To: Marlene Lingenfelder
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

From: Renee de Jong Hartsliet [mailto:renee@bundunet.com]

Sent: Wednesday, April 21, 2021 9:28 AM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Anne Wilson <candyz@iafrica.com>; Aragea Holland-Fredericks <hollandgea@gmail.com>; Chakane <chakanes@feziledabi.gov.za>; Chris Campbell <chris@cesa.co.za>; Cindy Aboud <cindy.aboud@vodamail.co.za>; Craig Richardson <cmrich@mweb.co.za>; Di Stevens (Vaaloewer) <edstevens@telkomsa.net>; Dina <dina.henstock@gmail.com>; Duan Jacobs <duan.jacobs@sasol.com>; Frans Van der Merwe <frans.vandermerwe@telkomsa.net>; Gavin Aboud <gavinaboud@vodamail.co.za>; Hanlie Stander <HanlieS@jse.co.za>; Liz <liz.tuux@gmail.com>; Louis Kruger <krugerskroon@gmail.com>; Magda Rijkssen <mrijksen@telkomsa.net>; Marianne Bilsland <marianne@fixeng.co.za>; Mariette Liefferink <mariette@pea.org.za>; Marlene Lingenfelder <admin@greenmined.co.za>; Martin Struwig <martin.vaaloewer@vodamail.co.za>; Mcebo Mkhathswa <mcebom@feziledabi.gov.za>; Nardus Buys <nardus@braccanix.co.za>; Paul Kgole <paulkg@vodamail.co.za>; Philip Hartsliet <bobh@dullies.com>; Pieter Hattingh <pieter.hattingh@sibanyestillwater.com>; Protect Vaal Eden <protectvaal eden@googlegroups.com>; Sampie van Rooyen <svr@envmgp.com>; Sean Hunter and Heather Ubsdell <heatherkate63@gmail.com>; Selma Kok <littlegreenprojectsK@gmail.com>; Stephan Fick / Johan and Susan Malan <stephanfick@gmail.com>; Veronica Withers <nickiwithers@gmail.com>; Warrin <warrinf@gmail.com>; Yusuf Dadabhay <YusufD@plazaboard.co.za>

Subject: Re: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Sonette,

I will attempt to join the virtual meeting at 17:00 today by phone. As stated several times before, I do not have WiFi.

As communicated with you previously, the makeup physical meeting (for the one that one that you caused to fail) should be physical and we should have 2-weeks notice.

I request, one again, the attendance register of that meeting of 17 April.

Further, please provide the minutes of the meeting of the afternoon meeting of 17 April and attendance register.

Regards,

Renee

Renee de Jong Hartsliet

www.facebook.com/TheSavannahAfrica

+27 (0)71 448-4332 c

Woolridge 65 "Savannah" farm

Vaal Eden Road

PO Box 12, Parys 9585

Free State, South Africa

renee@bundunet.com

On Tue, 20 Apr 2021 at 21:14, Sonette Smit <Sonette.S@greenmined.co.za> wrote:

Marlene Lingenfelder

From: Sonette Smit
Sent: 21 April 2021 02:38 PM
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd (“MCCP”) Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs that wished to attend the meeting on Saturday 17 April 2021, MCCP has arranged **an additional meeting on Wednesday 21 April 2021 at 17h00**, which I&APs will be able to attend Virtually, subject to what is set out in detail hereunder.
2. Please find herewith the Zoom link to the **Virtual Public Participation Meeting** to be held on **Wednesday 21 April 2021 at 17h00** to discuss the **Draft Environmental Impact Assessment Report (“DEIAR”)** and **Environmental Management Programme (“EMPR”)** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Date: Wednesday 21 April 2021

Time: 17h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 21, 2021 05:00 PM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/96890738995>

Meeting ID: 968 9073 8995

One tap mobile

+27214268191,,96890738995# South Africa

+27875503946,,96890738995# South Africa

3. **Please ensure**
 - 3.1 You are online and connected 10 minutes before the meeting starts.
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4. We thank you in advance for your cooperation, and look forward to interacting with you.
5. If you are experiencing problems on the day, please be kind enough to send a message via **WHATSAPP to 084 585 5706**, as we will be unable to take calls while administering a meeting.

Kind Regards/Vriendelike Groete

Sonette Smit

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 07:11 PM
To: Renee Hartsliet
Cc: Marlene Lingenfelder
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Dear Ms Hartsliet,

1. The above matter as well as your email dated April 13, 2021 7:12 PM refers.
2. We note the contents of your aforementioned email, and confirm that your comments will be incorporated in the final report to be submitted to the competent authority for consideration.
3. We wish to point out, however, that the reports referred to by you in your aforementioned email, are not applicable to the abovementioned Application, which aspect was addressed in numerous Public Participation Meetings.
4. We are therefore unable to include same in the final report to be submitted.
5. We thank you for your valued engagement with Greenmined.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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Cc: Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Bob <bobh@dullies.com>; Chris <chrisc@cesa.co.za>; Cindy <cindy.aboud@vodamail.co.za>; Craig <craigrichardson100@gmail.com>; Dina <dina.henstock@gmail.com>; Gavin Aboud <gavinaboud@vodamail.co.za>; Louis Kruger <krugerskroon@gmail.com>; Marlene Lingenfelder <admin@greenmined.co.za>; Pieter <pieter.hattingh@sibanyestillwater.com>; liz <liz.tuux@gmail.com>; warrin <warrinf@gmail.com>
Subject: Re: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Further, we insist that the cumulative impact studies previously done by your own experts, EnviroWorks, are included in your presentation. These are the Socio and Environmental Impact Studies that clearly indicate that that additional burdens to our roads, environment and life-style cannot be approved for the greater good of our communities.

Thanks,
Renee

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Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 07:20 PM
To: Marlene Lingenfelder
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Your message has been delivered to the following recipients:

renee@bundunet.com

Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Marlene Lingenfelder

From: Sonette Smit
Sent: 22 April 2021 10:17 PM
To: 'Brian Macgregor (Secretary)'; Elsaine Costerus Mohr; Goosebay Canyon Farm; Ilse Dicks; Marlene Lingenfelder; mdvldc (mdvldc@vldc.co.za); Michael Cocks; Peter Roux; Robert Schimpers; VLDC Secretary; Zoe Norwal
Subject: FW: LETTER OF SUPPORT OPPOSING MINING RIGHTS IN THE VAAL EDEN AREA

FYI

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Renee de Jong Hartsliel [mailto:renee@bundunet.com]
Sent: Thursday, April 22, 2021 9:37 PM
To: Protect Vaal Eden <protectvaal eden@googlegroups.com>; Sonette Smit <Sonette.S@greenmined.co.za>; Trixie Botha <trixie.kitshoff@gmail.com>
Subject: Re: LETTER OF SUPPORT OPPOSING MINING RIGHTS IN THE VAAL EDEN AREA

Thank you so much Erich, Trixie and the entire Lapa Manzi community!!
Forwarded as received...
Warm regards,
Renee Hartsliel

On Thu, 22 Apr 2021 at 20:24, Trixie Botha <trixie.kitshoff@gmail.com> wrote:

Dear Renee De Jong,

LAPA MANZI WORKING COMMITTEE –

LETTER OF SUPPORT TO: "PROTECT THE VAAL EDEN GROUP" AND INCLUDING YOURSELF

On behalf of the LAPA MANZI WORKING COMMITTEE (LMWC), we request you to add the support of all 54 homeowners, and in addition, their spouses, employees and visitors (family and friends) to the "PROTECT THE VAAL EDEN GROUP" to oppose/stop the application for mining rights in the VAAL EDEN area.

If requested, we will be happy to provide individual signatures in support of **your** and **our** endeavors.

Let it be known that the LAPA MANZI residents and visitors to the VAAL EDEN AREA have suffered at the hands of the current mine, SWEET SENSATION, in terms of the destruction of infrastructure and roads, which has a direct bearing on damage to our vehicles, personal safety, financial losses, including loss of property value which has caused emotional stress. All of the above are in direct conflict to our Constitutional Right to live in a safe environment, and ensuring our Human Rights and Environmental Rights are protected.

Risks

The infrastructure leading from the current mine to Sasolburg, Vanderbijlpark and to the freeways has been severely compromised and relevant authorities have no plan in place or any finances to repair any of the already damaged roads.

The approval of the new mine will further ensure the continued destruction of the already compromised roads and bridges.

There is no recourse for claiming damages for the residents, visitors or businesses, to the area, as well as surrounding areas.

Summary

Please add this letter of support to your current support group “PROTECT THE VAAL EDEN”, in an effort to stop the mining rights.

Regards,

Chairman - Harko Mulder

Committee Member - Rudy Liebenberg

--

Sent from Gmail Mobile Renee de Jong Hartslielief +27 71 448-4332

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 11:30 PM
To: Renee Hartslief
Cc: Marlene Lingenfelder; Protect Vaal Eden; trixie.kitshoff@gmail.com
Subject: FW: LAPA MANZI - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

Importance: High

Dear Lapa Manzi Working Committee,

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

1. The abovementioned matter your email dated **22 April 2021 20:24 PM**, sent to us under cover of an email from Mrs Renee Hartslief, dated **22 April 2021 at 21:37 PM**, refer.
2. We hereby respond *ad seriatim* in **red font** to the unnumbered paragraphs of your abovementioned email, as set out hereunder.

"On behalf of the LAPA MANZI WORKING COMMITTEE (LMWC), we request you to add the support of all 54 homeowners, and in addition, their spouses, employees and visitors (family and friends) to the "PROTECT THE VAAL EDEN GROUP" to oppose/stop the application for mining rights in the VAAL EDEN area.

*If requested, we will be happy to provide individual signatures in support of **your** and **our** endeavors."*

2.1. Thank you for your valued comments, we hereby confirm that your comments and concerns will be included in the Final Report for submission to the DMRE.

"Let it be known that the LAPA MANZI residents and visitors to the VAAL EDEN AREA have suffered at the hands of the current mine, SWEET SENSATION, in terms of the destruction of infrastructure and roads, which has a direct bearing on damage to our vehicles, personal safety, financial losses, including loss of property value which has caused emotional stress. All of the above are in direct conflict to our Constitutional Right to live in a safe environment, and ensuring our Human Rights and Environmental Rights are protected."

2.2. We note your discontent, with regards to the Sweet Sensations Mining Operations, in terms of the destruction of infrastructure and roads;

2.2.1. However, please note that the Mining Right Application by MCCP, is still in process and the DMRE are yet to make a decision, whether to refuse or grant this Application;

2.2.2. It should also be noted that the operations conducted by Sweet Sensations and the operations to be conducted by MCCP (in the event that this Mining Right Application is successful), cannot be linked to each other.

"Risks

The infrastructure leading from the current mine to Sasolburg, Vanderbijlpark and to the freeways has been severely compromised and relevant authorities have no plan in place or any finances to repair any of the already damaged roads.

The approval of the new mine will further ensure the continued destruction of the already compromised roads and bridges.

There is no recourse for claiming damages for the residents, visitors or businesses, to the area, as well as surrounding areas."

2.3. Furthermore, in response to your concerns as set out above, it should be noted that all relevant Specialist studies have been conducted by MCCP, and the prescribed mitigation measures will be strictly enforced by MCCP;

2.3.1. All mitigation measures, as proposed by the relevant Specialist Consultants, become conditions to the approval of the Mining Right Application, which mitigation measures must be adhered to;

2.3.2. In the event that the conditions are not complied with, the competent Authority will issue a compliance notice, which may result in the suspension of all mining activities by MCCP;

2.3.3.A Traffic Impact Study, which forms part of this Environmental Impact Assessment, has been made available to I&AP's and can be viewed on the Greenmined Website.

2.3.4. Furthermore, the proposed granting of the Mining Right to MCCP, will be subject to an Access to Roads Application, to be submitted to the relevant Free State Provincial Roads Authority.

3. We trust you will find the above in order and thank you for participating in this process.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

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Suite 62, Private Bag x15
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"the goal isn't to live forever, it is to protect a planet that will"

From: Renee de Jong Hartslielief [<mailto:renee@bundunet.com>]

Sent: Thursday, April 22, 2021 9:37 PM

To: Protect Vaal Eden <protectvaaleden@googlegroups.com>; Sonette Smit <Sonette.S@greenmined.co.za>; Trixie Botha <trixie.kitshoff@gmail.com>

Subject: Re: LETTER OF SUPPORT OPPOSING MINING RIGHTS IN THE VAAL EDEN AREA

Thank you so much Erich, Trixie and the entire Lapa Manzi community!!

Forwarded as received...

Warm regards,

Renee Hartslielief

On Thu, 22 Apr 2021 at 20:24, Trixie Botha <trixie.kitshoff@gmail.com> wrote:

| Dear Renee De Jong,

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 11:34 PM
To: Marlene Lingenfelder
Subject: FW: LAPA MANZI - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Sunday, April 25, 2021 11:31 PM

To: Sonette Smit

Subject: Delivered: LAPA MANZI - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

Your message has been delivered to the following recipients:

renee@bundunet.com

protectvaaleden@googlegroups.com

trixie.kitshoff@gmail.com

Subject: FW: LAPA MANZI - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 11:33 PM
To: Marlene Lingenfelder
Subject: FW: Delivery Status Notification (Failure)

-----Original Message-----

From: Mail Delivery Subsystem [mailto:mailer-daemon@googlemail.com]
Sent: Sunday, April 25, 2021 11:31 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: Delivery Status Notification (Failure)

Hello sonette.s@greenmined.co.za,

We're writing to let you know that the group you tried to contact (ProtectVaalEden) may not exist, or you may not have permission to post messages to the group. A few more details on why you weren't able to post:

- * You might have spelled or formatted the group name incorrectly.
- * The owner of the group may have removed this group.
- * You may need to join the group before receiving permission to post.
- * This group may not be open to posting.

If you have questions related to this or any other Google group, visit the Help Centre at <https://groups.google.com/support/>.

Thanks,

Google Groups

----- Original message -----

X-Google-Smtp-Source:

ABdhPJwYrZqI8RWGhtRMGnNceoJalg2WHEFRPq+FFWNU5LK3Lf7qI0Xz8JAxje/bQ6SgydMJnFnG

X-Received: by 2002:a2e:8681:: with SMTP id l1mr10645993lji.494.1619386240772;

Sun, 25 Apr 2021 14:30:40 -0700 (PDT)

ARC-Seal: i=1; a=rsa-sha256; t=1619386240; cv=none;

d=google.com; s=arc-20160816;

b=MBnthd6/8fflcHWUPNf9IDX6sellCnpRO6HLEmYFoqrjYIM83SfO4eN8uj/n4s7VJU

50k14SDa+Rc1tmuD2fg35UDDhLu5hbmYM+/d296D9R7+NqPw+mkmIBdp/z/XuWXIDyi3

OrsGw55N++v7wFfOK88M79NL2SyxuhzqN88bUgW59B5WmjS4l1EHufsiFzwlwF4CBN5/

5jovg/13v3wUqnhgzgN6TsiCnBfvx5x824paEUyUteYV0ilSCcVpxYWYSXc2geHr3ora

bevaj27FbExaCv5b8LdeLHHRUbDCIRUYJSO7ifHqyPLKQoiCKBV9YZoHIDG1nmgCFg4e

C6Vg==

ARC-Message-Signature: i=1; a=rsa-sha256; c=relaxed/relaxed; d=google.com; s=arc-20160816;

h=feedback-id:mime-version:content-language:accept-language

:in-reply-to:references:message-id:date:return-receipt-to

:disposition-notification-to:importance:thread-index:thread-topic

:subject:cc:to:from:dkim-signature;

bh=OZoftgE/8lL3f2svL7suyiAu4w/xSZPptFmJsKgOf/s=;

b=GLrrDVafIjwK5EZ6foQFAjkrDpuFt+87XKNS+pznkv/yk1kNRJN2xUM3tG6rhTM3N

4qC2rjgcN91pVbyGGgw6sqGauOuzNlgg//MlPqEY1g8yeVErgl2M3t3e4HF2ryZrWeYh

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 04:09 AM
To: Renee Hartslief
Cc: Marlene Lingenfelder
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Renee

1. The abovementioned matter and your email, dated **21 April 2021 09:44 AM**, as set out below, refer.
2. We hereby respond ad seriatim in **red font**, to your abovementioned email, as set out below:

"Dear Sonette,"

"I will attempt to join the virtual meeting at 17:00 today by phone. As stated several times before, I do not have WiFi."

2.1. I confirm, that you did in fact join this meeting and were able to participate, virtually uninterrupted, for a period of more than 4 hours.

As communicated with you previously, the makeup physical meeting (for the one that one that you caused to fail) should be physical and we should have 2-weeks notice.

2.2. You provide no justification, reason or authorization for any of you assertions, as set out above;

2.3. I again refer you to the detailed email sent to earlier today **26 April 2021, in response to your previous email.**

I request, one again, the attendance register of that meeting of 17 April.

2.4. This was sent to you earlier today;

Further, please provide the minutes of the meeting of the afternoon meeting of 17 April and attendance register.

2.5. Please note, that minutes of the meetings held on **10 April 2020, **17 April 2020** and **21 April 2020**, were also sent to you today.**

*Regards,
Renee*

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



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

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Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Sonette Smit
Sent: 21 April 2021 09:44 AM
To: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

From: Renee de Jong Hartsliet [<mailto:renee@bundunet.com>]
Sent: Wednesday, April 21, 2021 9:28 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Anne Wilson <candyz@iafrica.com>; Aragea Holland-Fredericks <hollandgea@gmail.com>; Chakane <chakanes@feziledabi.gov.za>; Chris Campbell <chris@cesa.co.za>; Cindy Aboud <cindy.aboud@vodamail.co.za>; Craig Richardson <cmrich@mweb.co.za>; Di Stevens (Vaaloewer) <edstevens@telkomsa.net>; Dina <dina.henstock@gmail.com>; Duan Jacobs <duan.jacobs@sasol.com>; Frans Van der Merwe <frans.vandermerwe@telkomsa.net>; Gavin Aboud <gavinaboud@vodamail.co.za>; Hanlie Stander <HanlieS@jse.co.za>; Liz <liz.tuxx@gmail.com>; Louis Kruger <krugerskroon@gmail.com>; Magda Rijkse <mrijksen@telkomsa.net>; Marianne Bilsland <marianne@fixeng.co.za>; Mariette Liefferink <mariette@pea.org.za>; Marlene Lingenfelder <admin@greenmined.co.za>; Martin Struwig <martin.vaaloewer@vodamail.co.za>; Mcebo Mkhatshwa <mcebom@feziledabi.gov.za>; Nardus Buys <nardus@braccanix.co.za>; Paul Kgole <paulkg@vodamail.co.za>; Philip Hartsliet <bobh@dullies.com>; Pieter Hattingh <pieter.hattingh@sibanyestillwater.com>; Protect Vaal Eden <protectvaal eden@googlegroups.com>; Sampie van Rooyen <svr@envmgrp.com>; Sean Hunter and Heather Ubsdell <heatherkate63@gmail.com>; Selma Kok <littlegreenprojectsK@gmail.com>; Stephan Fick / Johan and Susan Malan <stephanfick@gmail.com>; Veronica Withers <nickiwithers@gmail.com>; Warrin <warrinf@gmail.com>; Yusuf Dadabhay <YusufD@plazaboard.co.za>
Subject: Re: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Sonette,

I will attempt to join the virtual meeting at 17:00 today by phone. As stated several times before, I do not have WiFi.

As communicated with you previously, the makeup physical meeting (for the one that one that you caused to fail) should be physical and we should have 2-weeks notice.

I request, one again, the attendance register of that meeting of 17 April.

Further, please provide the minutes of the meeting of the afternoon meeting of 17 April and attendance register.

Regards,

Renee

Renee de Jong Hartsliet
www.facebook.com/TheSavannahAfrica
+27 (0)71 448-4332 c
Woolridge 65 "Savannah" farm
Vaal Eden Road

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 04:26 AM
To: Marlene Lingenfelder
Subject: FW: RENEE HARTSLIEF 1 - Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Monday, April 26, 2021 4:10 AM

To: Sonette Smit

Subject: Delivered: RENEE HARTSLIEF 1 - Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Your message has been delivered to the following recipients:

renee@bundunet.com

Subject: FW: RENEE HARTSLIEF 1 - Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 04:09 AM
To: Renee Hartslief
Cc: Marlene Lingenfelder
Subject: FW: RENEE HARTSLIEF 1 - Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation
Attachments: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation ; M CCP Covid Indemnity List Meet Attendees 17 Apr 2021 Publ Part Meeting 17 Apr 2021.jpg; Transcript 10 April 2021 Public Participation Meeting.pdf; Transcript 17 April 2021 Public Participation Meeting.pdf; Transcript 21 April 2021 Public Participation Meeting.pdf; Attendees - 17 April 2021 -7 AM Meeting.pdf; Attendance photo.pdf

Dear Renee

Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

1. The abovementioned matter and your email, dated **17 April 2021 12:30 PM**, as set out below, refer.
2. We hereby respond ad seriatim in **red font** to the unnumbered points of you email, as set out below:

"Dear Sonette",

"I do not have WiFi and I responding to this email in haste and on my phone:"

2.1. As will be set out in more detail herein, physical meetings were arranged for 17 April 2021 and 24 April 2021, in order to assist I&APs who may not have had Wi-Fi. In this regard I record the following:

2.1.1. You joined the 17 April 2021 at 13h00 meeting via Zoom;

2.1.2. You gave no explanation for not having attended this meeting physically;

2.1.3. You also attended the 21 April 2021 at 17h00 meeting via Zoom;

2.1.4. You did not attend either of the physical meetings on 24 April 2021, despite your husband Mr Bobby Hartslief, so attending. You provided no explanation for not attending.

"A) We did NOT ELECT to leave the meeting this morning - it was called off by your Chairperson (I have the video), who told us that we must leave."

2.2. The above statement is unfortunately disingenuous and not a true reflection of what transpired;

2.3. I set out hereunder, in detail exactly what happened at the 07h00 meeting on Saturday 17 April 2021:

2.3.1. Please note that numerous requests to be patient, were made by the Chairman to I&APs who attended the meeting to be held on Saturday 17 April 2021 at 07h00, as the IT Contractor was in the process of attending to the technological issues:

- 2.3.1.1. The Chairman requested, that I&APs who were on Zoom, continue with the meeting Virtually. Without providing any reasons, Virtual attendees to the meeting voted that the meeting be cancelled;
 - 2.3.1.2. I&APs had begun leaving, prior to the meeting facilitator reaching any conclusions;
 - 2.3.1.3. Although most of the physical attendees left the meeting, the Chairman was prepared to continue with the Zoom meeting, but the attendees to the Zoom meeting voted that the meeting be cancelled, as apparently the attendees to the physical meeting were their spokesmen;
- 2.4. All I&APs who attended the meeting on Saturday, **17 April 2021**, at **07h00**, were again invited to attend the meeting held on Saturday, **17 April 2021**, at **13h00**, either physically or virtually, as follows:
- 2.4.1. In person by the Managing Director of MCCP, Mark van Wyk at the meeting held on Saturday **17 April 2021** at **07h00**;
 - 2.4.2. By way of an email sent to you by Greenmined on Saturday **17 April 2021** at **10h49** (copy of same enclosed herewith);
 - 2.4.3. By way of a telephone call and SMS, likewise on Saturday **17 April 2021** at approximately **12h00**.

“B) It was not only technology problems that caused this disaster: your team was woefully unprepared.”

- 2.5. Greenmined maintain that its team was more than adequately prepared, as is set out in detail hereunder:
- 2.5.1. Greenmined believes that, Mr Gavin Aboud, instigated the other I&AP’s to summarily leave the **07h00** meeting, notwithstanding that I&APs were well aware that Greenmined had gone to a great deal of expense to arrange all of the following:
 - 2.5.1.1. A comfortable venue, in top condition, and located in close proximity to all I&APs;
 - 2.5.1.2. Comfortable Seating, properly spaced at least 1.5 meters apart;
 - 2.5.1.3. Water as a refreshment (Covid-19 made the serving of tea and coffee inadvisable);
 - 2.5.1.4. Proper Covid-19 Signage;
 - 2.5.1.5. Adequate hand sanitizer;
 - 2.5.1.6. A proper Covid-19 compliant attendance register (copy of same enclosed herewith);
 - 2.5.1.7. “Gun Type” Thermometers to take the temperatures of I&APs attending, for their safety (such temperatures recorded on the abovementioned Covid-19 compliant attendance register);
 - 2.5.1.8. Sufficient uniformed personnel, to ensure all of the above;
 - 2.5.1.9. High quality colour copies of the presentation material, all of which was handed to I&APs;
 - 2.5.1.10. Security personnel to ensure the safety of I&APs;
 - 2.5.1.11. A highly qualified and experienced Meeting Facilitator (qualified with a PhD), to act as Chairman of the meeting, physically present at the Meeting Venue;

- 2.5.1.12. The Landscape Architect (qualified with a Master's Degree), who has been on a retainer to MCCP, for at least the last six years, to advise on, guide and monitor the rehabilitation process;
- 2.5.1.13. A panel of Specialist Professional Consultants (all highly qualified, including some with Masters Degrees and PhD's – many of whom are recognised as leaders in their fields), to answer all of I&AP's questions, relating to Environmental issues;
- 2.5.1.14. A state of the art electronic system to facilitate a simultaneous Virtual and Physical Meeting via Zoom (we are advised that certain I&APs, by unnecessarily joining the Zoom Virtual Meeting, whilst attending the Physical Meeting, via Zoom, caused the interference on Zoom, which prevented the meeting going ahead – this action by the I&APs, could not be guarded against or prevented by Greenmined);
- 2.5.1.15. The provision of a strong Internet Link at the Venue, by installation of a temporary Satellite Dish;

2.5.2. That, Mr Gavin Aboud, by so acting, improperly influenced other gullible and susceptible I&APs, to leave the meeting prematurely, thus unnecessarily depriving them of the opportunity to engage with MCCP and its Team of Specialist Consultants, all as set out above.

"C) Please immediately send the COVID-19 attendance register - you did not have one for the public participation, which is astounding (and probably not legal)."

2.6. We find extremely concerning and disconcerting, that you would misrepresent the factual position, as above. Greenmined arranged:

2.6.1. Adequate Covid signage to be displayed throughout the Venue;

2.6.2. For a pre-printed Attendance Register in A3 Format to be placed at the entrance to the venue, to be filled in by I&APs wishing to gain access;

2.6.3. An administrative Official and Security Personnel, were on hand to ensure that I&APs filled in the abovementioned register, as you must have been well aware;

2.6.4. A copy of the register is enclosed herewith.

"D) I have NOT BEEN CONTACTED about attending the meeting due to start in 30 minutes. Therefore, I will attempt to join by phone. PLEASE SEND THE LINK. I do NOT RELINQUISH my right to attend a make-up, physical meeting (for the one you bungled so spectacularly) and require 2-weeks advance notice."

2.7. You must have been contacted, since you were aware, that there was a meeting due to commence at **13h00 on 17 April 2021;**

2.8. You duly attended the abovementioned meeting virtually, when you were well aware you could have attended same physically;

2.9. You also attended the meeting on **21 April 2021,** and;

2.10. You failed to attend either of the two physical meetings on **24 April 2021** but provided no explanation for not so attending.

"Again, I apologise for my haste - I'm sure you will understand."

*"Regards
Renee"*

3. We also enclose herewith, transcripts of the Zoom meetings held on **10 April 2021, 17 April 2021 and 21 April 2021.**

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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

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Suite 62, Private Bag x15
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"the goal isn't to live forever, it is to protect a planet that will"

From: Renee de Jong Hartsliet [<mailto:renee@bundunet.com>]

Sent: 17 April 2021 12:30 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>

Cc: Abrie Hanekom Vaaloewer <marlene@kruppeng.co.za>; Anne Wilson <candyz@iafrica.com>; Aragea Holland-Fredericks <hollandgea@gmail.com>; Chakane <chakanes@feziledabi.gov.za>; Chris Campbell <chris@cesa.co.za>; Cindy Aboud <cindy.aboud@vodamail.co.za>; Craig Richardson <cmrich@mweb.co.za>; Di Stevens (Vaaloewer) <edstevens@telkomsa.net>; Dina <dina.henstock@gmail.com>; Duan Jacobs <duan.jacobs@sasol.com>; Frans Van der Merwe <frans.vandermerwe@telkomsa.net>; Gavin Aboud <gavinaboud@vodamail.co.za>; Hanlie Stander <HanlieS@jse.co.za>; Liz <liz.tuux@gmail.com>; Louis Kruger <krugerskroon@gmail.com>; Magda Rijksen <mrijksen@telkomsa.net>; Marianne Bilsland <marianne@fixeng.co.za>; Mariette Liefferink <mariette@pea.org.za>; Marlene Lingenfelder <admin@greenmined.co.za>; Martin Struwig <martin.vaaloewer@vodamail.co.za>; Mcebo Mkhathswa <mcebom@feziledabi.gov.za>; Nardus Buys <nardus@braccanix.co.za>; Paul Kgole <paulkg@vodamail.co.za>; Philip Hartsliet <bobh@dullies.com>; Pieter Hattingh <pieter.hattingh@sibanyestillwater.com>; Protect Vaal Eden <protectvaal eden@googlegroups.com>; Sampie van Rooyen <svr@envmgp.com>; Sean Hunter and Heather Ubsdell <heatherkate63@gmail.com>; Stephan Fick / Johan and Susan Malan <stephanfick@gmail.com>; Veronica Withers <nickiwithers@gmail.com>; Warrin <warrinf@gmail.com>; Yusuf Dadabhay <YusufD@plazaboard.co.za>

Subject: Re: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Sonette,

I do not have WiFi and I responding to this email in haste and on my phone:

A) We did NOT ELECT to leave the meeting this morning - it was called off by your Chairperson (I have the video), who told us that we must leave.

B) It was not only technology problems that caused this disaster: your team was woefully unprepared.

C) Please immediately send the COVID-19 attendance register - you did not have one for the public participation, which is astounding (and probably not legal).

D) I have NOT BEEN CONTACTED about attending the meeting due to start in 30 minutes. Therefore, I will attempt to join by phone. PLEASE SEND THE LINK. I do NOT RELINQUISH my right to attend a make-up, physical meeting (for the one you bungled so spectacularly) and require 2-weeks advance notice.

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 04:25 AM
To: Marlene Lingenfelder
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Monday, April 26, 2021 4:10 AM

To: Sonette Smit

Subject: Delivered: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Your message has been delivered to the following recipients:

renee@bundunet.com

Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

SEAN HUNTER & HEATHER UBSDELL

Marlene Lingenfelder

From: Sonette Smit
Sent: 07 April 2021 08:58 AM
To: Marlene Lingenfelder
Subject: FW: Monte Christo Commercial Park Draft Environmental Impact Assessment Report Notification

Good day Sonette

Please be advised that I am unable to attend the public participation meeting on 10th April 2021 due to a conflicting meeting for Sweet Sensations Mining focus meeting.

It needs to be placed on record that we have only become aware of the Greenminded Environmental meeting, by being ccd on an email sent to you by Gavin Aboud which was received **TODAY (06/0/2021)**.

Your earlier email was sent to my junk mail and I have no doubt that this was the case for many I&APs due to the wording you have used in your email subject AND explains why only 2 objections were received to your proposed meeting.

We are of the opinion that various underhanded tactics are used to ensure that I&APs are **not aware of correspondence**:

- The public participation for the previous application for this mine received an unprecedented amount of vociferous objections and I put it to you that by using word **DEIAR** in the subject, you were well aware that it could be classified as Junk mail and therefore many I&APs would not be aware of this email.
- emails are sent on Friday afternoon just before 16h00.
- Having only 1 option of a date and time for a public participation meeting is a guaranteed method of excluding many I&APs
- Using mailchimp as a bulk email sending portal gives the sender a report on whether a recipient read the email.
- Therefore, how many of the I&APs **read** the email before the required date of 31/03/2021 in order to reply?
- By using mailchimp I, as the recipient, we are also unable to connect to the link to connect to the website as stated in your email.
- Since 2014 this particular mining project has various names and acronyms in pursuing the mining right and/or addendum thereof:
 - SAND MINNING - WOODLANDS/ PARYS DISTRICT
 - Woodlands Farm
 - Goosebay Mining Project
 - Pure Source Mine

- Monte Cristo Commercial Park (Pty) Ltd
 - M CCP
 - DEIAR
- The COVID pandemic is not a sufficient excuse to avoid public participation, numbers can be limited and safety steps adhered to.

Greenmined Environmental is well aware of the objection to mining in our area despite the constant and ongoing relentless efforts to turn our beautiful area into a wasteland and certainly nothing resembling anything that an environmentally aware company should be comfortable being in front of

Kindly ensure that we all receive the revised date and time of the rescheduled date for the public participation meeting.

Regards

Sean Hunter / Heather Ubsdell

Cell: 071 683 5561

Marlene Lingenfelder

From: Sonette Smit
Sent: 15 April 2021 10:29 AM
To: Heather Meyers
Cc: Marlene Lingenfelder
Subject: RE: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Good morning Heather,

Thank you for letting me know,

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Heather Meyers [mailto:heatherkate63@gmail.com]
Sent: Thursday, April 15, 2021 9:26 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Gea Holland <hollandgea@gmail.com>; Diane Stevens <dianestevens175@gmail.com>; Simon Nyofane <cmon.gp@gmail.com>; Bennie Geldenhuys <theoldecharm@gmail.com>; Lynne Angelslight <angelslight@telkomsa.net>; Liz Charles <liz.tuxx@gmail.com>; Hunter, Sean <SHunter@colserve.co.za>; Wayne.kevern.wk@gmail.com
Subject: Re: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Good morning

My partner and I will be attending the meeting at 13.00 via Zoom.

Thank you

Heather Ubsdell
Sean Hunter

On Mon, 12 Apr 2021, 20:10 Sonette Smit, <Sonette.S@greenmined.co.za> wrote:

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

Marlene Lingenfelder

From: Sonette Smit
Sent: 12 April 2021 08:11 PM
Subject: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd (“MCCP”) Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs, MCCP has arranged **Meetings on Saturday 17 April 2021**, which I&APs will be able to attend either Virtually, or Physically, subject to what is set out in detail hereunder.
 - 1.1 Participants attending the Meetings Virtually will be able to interact with participants attending the Meetings Physically, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator.
 - 1.2 Participants attending the Meetings Physically will be able to interact with participants attending the Meetings Virtually, as well as the MCCP Representatives, Specialist Team, Greenmined and the Meeting Facilitator, since the Physical Meeting will be livestreamed to Virtual Meeting Participants.
 - 1.3 **I&APs are respectfully requested to advise, whether they will be attending the Meetings, Virtually or Physically, and at what times.**

Zoom Virtual Public Participation Meeting

2. In the event that you wish to attend either meeting Virtually, please find herewith the Zoom links to the **Virtual Public Participation Meetings** to be held on **17 April 2021** to discuss the **Draft Environmental Impact Assessment Report (“DEIAR”)** and **Environmental Management Programme (“EMPR”)** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Kindly confirm which one of the two (2) Virtual Meetings you would like to attend:

Meeting 1

Date: Saturday 17 April 2021

Time: 07h00-9h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 07:00 AM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/97205183467?pwd=ck00UHFuR0lYTUpENnQxSkVKYjhlZz09>

Meeting ID: 972 0518 3467

Passcode: 383153

One tap mobile

+27214268191,,97205183467# South Africa

+27875503946,,97205183467# South Africa

Meeting 2

Date: Saturday 17 April 2021

Time: 13h00-15h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 17, 2021 01:00 PM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/95708237905?pwd=V29NNFF1bkq2NktKc3ZRWGZMQjIRZz09>

Meeting ID: 957 0823 7905

Passcode: 348742

One tap mobile

+27875517702,,95708237905# South Africa

+27214268190,,95708237905# South Africa

3. Please ensure

3.1 You are online and connected 10 minutes before the meeting starts.

3.2 You have the most recent version of Zoom, as with an older version you may have connection or audio/video issues and be unable to participate effectively or at all.

3.3 That the device you are logging in with has a registered name to permit access.

Physical Public Participation Meeting – Eden Manor situate at Plots 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road).

4. In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the **17 April 2021** Physically at the following times, at the location set out hereunder:
 - 4.1 **7:00 – 9:00** – **Eden Manor** situate at **Plots1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
 - 4.2 **13:00 – 15:00** – **Eden Manor** situate at **Plats 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
5. The arrangement for Qualifying I&APs to attend the **Meetings** on **17 April 2021** Physically has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi. Accordingly:
 - 5.1 Please do not attend the Meetings Physically, if you are able to attend any of the **meetings Virtually**.
 - 5.2 Please note that this request, is to provide an opportunity specifically for those I&AP's, who do not have access to the above mentioned resources (as set out more fully in clause 2 above), to participate in the process, and not be excluded due to a lack of resources.

5.3 It is intended that the ability of I&APs to attend the meetings be held on **17 April 2021** (as set out above) Physically will enable said I&AP's, to participate in the public consultation and information provision process. (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

6. We thank you in advance for your cooperation, look forward to interacting with you.

7. If you are experiencing problems on the day, please be kind enough to send a message via **WHATSAPP to 084 585 5706**, as we will be unable to take calls while administering a meeting.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

www.greenmined.com

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

STEPHAN FICK

Marlene Lingenfelder

From: Sonette Smit
Sent: 15 April 2021 06:58 PM
To: Stephan Fick
Cc: Marlene Lingenfelder
Subject: RE: Meeting Eden Manor Regarding Mining Application Monte Christo

Meeting Eden Manor Regarding Mining Application Monte Christo

1. Your email dated **13 April 2021 7:57 PM**, as set out hereunder refers.
2. We thank you for registering for the meeting and look forward to interacting with you.
3. The relevant website address is most definitely www.greenmined.com and does not end with **.co.za**.
4. In order to assist you, we have again, set out the relevant link (as contained in the DEIAR Notification) hereunder:

<https://www.greenmined.com/environmental-impact-assessments/>
5. We trust that the above is in order and thank you for engagement with us.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

Unit MO1, No 37 AECI site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

From: Stephan Fick [mailto:stephanfick@gmail.com]
Sent: Tuesday, April 13, 2021 7:57 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: Meeting Eden Manor Regarding Mining Application Monte Christo

Hi

Herewith notice that Johan & Susan Malan as well as Stephan Fick, representing Lapa Manzi owners will be attending the meeting at Eden Manor fom 13h00 to 15h00.

By the way your website www.greenmined.co.za does not exist,

Stephan Fick

Marlene Lingenfelder

From: Sonette Smit
Sent: 15 April 2021 07:38 PM
To: Marlene Lingenfelder
Subject: FW: Meeting Eden Manor Regarding Mining Application Monte Christo

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]
Sent: Thursday, April 15, 2021 6:58 PM
To: Sonette Smit
Subject: Delivered: Meeting Eden Manor Regarding Mining Application Monte Christo

Your message has been delivered to the following recipients:

stephanfick@gmail.com

Subject: RE: Meeting Eden Manor Regarding Mining Application Monte Christo

VERONICA WITHERS

Marlene Lingenfelder

From: Sonette Smit
Sent: 12 April 2021 07:53 PM
To: Marlene Lingenfelder
Subject: FW: MCCP DEIAR Notification - FS 30/5/1/2/2/10048 MR

Importance: High

From: nicki withers [<mailto:nickiwithers@gmail.com>]
Sent: 08 April 2021 09:14 AM
To: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: MCCP DEIAR Notification - FS 30/5/1/2/2/10048 MR
Importance: High

Good morning,

I live on a riverbank property on the opposite side to Farm Woodlands.

I am already impacted by the noise generated by mining activities, even though I am probably more than 3 kilometres away. I am aware of the noise of trucks and machinery from about 6am in the morning.

I moved to this area to be close to the sounds of nature, not mechanical sound.

If I drive into the village of Vaaloewer I see desolate, destroyed bare soil over the mining area. It appears that no attempt has been made to restore the land back into a wildlife habitat.

I am voicing my concerns that further mining activity will result in further long term damage.

I am strongly opposed to further mining activities in the area

Regards
Veronica Withers
Keraweb Investments
Plot62 Main Road Lindequesdrif

Sent from [Mail](#) for Windows 10

From: [Marlene Lingenfelder](#)
Sent: Wednesday, 07 April 2021 16:13
Subject: MCCP DEIAR Notification - FS 30/5/1/2/2/10048 MR

Good day,

MCCP DEIAR Notification

1. The notification send to you on Friday 19th March 2021 returned unopened.
2. Herewith please receive the second and final attempt to notify you of the availability of the Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") for the proposed granting of a Mining Right in favour of Monte Cristo Commercial Park (Pty) Ltd over the

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 01:23 PM
To: Marlene Lingenfelder
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

From: Sonette Smit
Sent: Wednesday, April 14, 2021 6:31 PM
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Good Day Registered I&APs,

1. We refer to the above application as well as the proposed Public Participation Meetings to be held on Saturday 17 April 2021, at 07h00 as well as at 13h00.
2. We further wish to refer you to paragraph 4 and 5 of our email dated 12 April 2021, which was sent at 20h11, copied hereunder for ease of reference:
 4. *"In the event that any I&AP does not have the resources to attend the Meetings Virtually, the following provisions have been made, for attending the Meeting on the **17 April 2021** Physically at the following times, at the location set out hereunder:*
 - 4.1 **7:00 – 9:00 – Eden Manor** situate at **Plots 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
 - 4.2 **13:00 – 15:00 – Eden Manor** situate at **Plots 1 & 2 Natures Valley On Vaal (Access off Vaal Eden Road)**, District Parys GPS Coordinates - **26.771611S, 27.642725E**
5. *The arrangement for Qualifying I&APs to attend the **Meetings** on **17 April 2021** Physically has been scheduled, solely for the purposes of accommodating Qualifying I&AP's, to facilitate their participation in the Meetings, in the event that such I&APs do not have access to computers or Wi-Fi. Accordingly:*
 - 5.1 *Please do not attend the Meetings Physically, if you are able to attend any of the **meetings Virtually**.*
 - 5.2 *Please note that this request, is to provide an opportunity specifically for those I&AP's, who do not have access to the above mentioned resources (as set out more fully in clause 2 above), to participate in the process, and not be excluded due to a lack of resources.*
 - 5.3 *It is intended that the ability of I&APs to attend the meetings be held on **17 April 2021** (as set out above) Physically will enable said I&AP's, to participate in the public consultation and information provision process. (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations)."*
3. We further draw your attention to our email sent to Messrs Gavin Aboud and Martin Struwig on Saturday 3 April 2021. We understand that our aforementioned email has been circulated by the aforesaid gentlemen to many of the I&APs, however, we copy the relevant portions thereof hereunder for ease of reference:
 5. *"We take note of your comments pertaining to the desirability of a physical Public Participation Meeting. We must however, clearly bring the following (respectfully but firmly), to your attention:*

- 5.1 *We take both the COVID regulations, and the health and wellbeing of all I&AP's registered in respect of this Project, very seriously;*
- 5.2 *As has been previously clearly indicated by yourself, we have to date, had in excess of 1200 people registered as I&AP's in respect of this project;*
- 5.3 *The applicable COVID regulations, most certainly do not make provision for any public meeting (indoor or outdoor), that will lawfully accommodate so many potential attendees;*
- 5.4 *Please bear in mind that the purpose of a public meeting is to inform and address concerns of I&AP's. We believe, that the steps and measures proposed by ourselves will fully and properly achieve this purpose, without:*
 - 5.4.1 *Jeopardizing the health and safety of any I&AP (many of the I&AP's are essentially the neighbors of the Farm over which the Mining Right is being sought);*
 - 5.4.2 *Breaking any of the Covid Regulations or any other Legislative Enactment.*
- 5.5 *After careful consideration, we have therefore decided to deal with specific requests received from individual I&AP's, **who do not have the requisite access to facilities for a virtual meeting**, in order to accommodate each such I&AP's specific circumstances and requirements"*

4. Having regard to the foregoing, we request that any I&APs who are desirous of attending a Meeting Physically, confirm, in writing to us, that they do not have the above mentioned resources, in order for us to make provision for such I&APs to attend the meeting Physically (Especially in light of the restrictions imposed on Gatherings by the COVID-19 Regulations).

Access to the MCCP Public Participation Physical Meetings to be held at Eden Manor on Saturday 17 April 2021 at 07h00 and 13h00, respectively.

5. In order to give sensible effect to the above, and to enable us to implement same, particular with regards to the Covid Regulations and the wellbeing of I&APs , the following shall apply to the Meetings to be held on Saturday 17 April 2021 at 07H00 and 13H00, respectively.
 - 5.1 The attention of I&APs is again respectfully drawn to the potentially lethal nature and effect of Covid 19.
 - 5.2 All I&APs are again respectfully but firmly urged to avail themselves of the opportunity to attend the above mentioned meetings via [Zoom](#).

Arrangements for the physical meetings at Eden Manor on Saturday 17 April 2021 at 07H00 and 13H00, respectively.

- 5.3 Any I&AP wishing to attend the Physical Meeting must ensure that they are at the venue at least 45 minutes before the time at which the Meeting is scheduled to start, in order to complete the Covid register, sanitize their persons, obtain refreshments (bottles of water) and take their seats.
- 5.4 Any I&AP who voluntary elects to attend the Meeting in person, as opposed to the Virtual meeting, by such election and attendance fully and hereby acknowledges and understands that their attendance, in person, is solely at their own risk, and hereby indemnifies and holds both Greenmined and the Applicant, MCCP, harmless against any and all actual or contingent claims, costs, damages, expenses, harm, injury, liabilities, losses and/or penalties of any nature whatsoever which the I&AP may incur, suffer or sustain as a result of, or in connection with their Physical attendance of the Meeting, whether direct or indirect.
- 5.5 We again record our repeated advice, given on various occasions, that I&APs safeguard their wellbeing by availing themselves of the Virtual meetings arranged by Greenmined.
- 6 Notwithstanding all of the above, should I&APs nonetheless elect to attend the Meetings Physically, the following provisions shall apply:
 - 6.1 The provisions of any applicable Covid legislation and Regulations will be strictly enforced;

- 6.2 All chairs will be placed at least 1.5m apart;
- 6.3 The above spacing between chairs will ensure that the prohibition against exceeding 50% of the capacity of the venue is not contravened;
- 6.4 Additional and adequate shaded, external seating will be provided should the number of I&APs attending the Meeting Physically, exceed the capacity of the venue having regard to Covid Regulations on capacity;
- 6.5 I&APs shall be required to wear masks for the full duration of the Meeting, observe social distancing, bring and utilize sanitizer, although sanitizer will also be provided.

7 We again stress that all arrangements set out herein are:

- 7.1 For the protection of I&APs in light of Covid; and
- 7.2 Intended to ensure compliance with the Covid Regulations.

8. We trust that the above is in order and look forward to engaging with all I&APs in a safe and sensible manner.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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

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

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 01:30 PM
To: Marlene Lingenfelder
Subject: FW: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

From: nicki withers [mailto:nickiwithers@gmail.com]
Sent: Wednesday, April 21, 2021 7:56 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: RE: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Good morning,

Please send me the Zoom link for today's meeting.

As I write this I can hear the noise of trucks and machinery even though I live more than four kilometres from the existing mining area.

Regards
Nicki Withers
For Keraweb Investments

Sent from [Mail](#) for Windows 10

From: [Sonette Smit](#)
Sent: Tuesday, 20 April 2021 21:16
To: [Abrie Hanekom Vaaloewer](#); [Anne Wilson](#); [Aragea Holland-Fredericks](#); [Chakane](#); [Chris Campbell](#); [Cindy Aboud](#); [Craig Richardson](#); [Di Stevens \(Vaaloewer\)](#); [Dina](#); [Duan Jacobs](#); [Frans Van der Merwe](#); [Gavin Aboud](#); [Hanlie Stander](#); [Liz](#); [Louis Kruger](#); [Magda Rijkse](#); [Marianne Bilsland](#); [Mariette Liefferink](#); [Martin Struwig](#); [Mcebo Mkhathshwa](#); [Nardus Buys](#); [Paul Kgole](#); [Philip Hartslief](#); [Pieter Hattingh](#); [Protect Vaal Eden](#); [Renee Hartslief](#); [Sampie van Rooyen](#); [Sean Hunter and Heather Ubsdell](#); [Selma Kok](#); [Stephan Fick / Johan and Susan Malan](#); [Veronica Withers](#); [Warrin](#); [Yusuf Dadabhay](#)
Cc: [Marlene Lingenfelder](#)
Subject: Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation

Dear Interested and Affected Party,

Monte Cristo Commercial Park Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification – Public Participation Meeting

1. The email sent to you on 17 April 2021 at 10:46 am as enclosed below refers.
2. Kindly confirm your attendance by 10:00 am on Wednesday 21 April 2021 in order for us to provide you with the relevant Zoom link.
3. Please note that no additional information will be presented during this meeting. The materials to be presented and discussed will be the same materials presented and discussed at the public participation meetings held on 10 and 17 April 2021 by Greenmined.
4. We confirm that the MCCP Managing Director, Management and Specialist Consultants (whose reports were utilized in compiling the DEIAR), will be in attendance, to answer I&APs questions, and provide information.

Marlene Lingenfelder

From: Sonette Smit
Sent: 21 April 2021 02:38 PM
Subject: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd (“MCCP”) Draft Environmental Impact Assessment Report (“DEIAR”) and Environmental Management Programme (“EMPR”) Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs that wished to attend the meeting on Saturday 17 April 2021, MCCP has arranged **an additional meeting on Wednesday 21 April 2021 at 17h00**, which I&APs will be able to attend Virtually, subject to what is set out in detail hereunder.
2. Please find herewith the Zoom link to the **Virtual Public Participation Meeting** to be held on **Wednesday 21 April 2021 at 17h00** to discuss the **Draft Environmental Impact Assessment Report (“DEIAR”)** and **Environmental Management Programme (“EMPR”)** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Date: Wednesday 21 April 2021

Time: 17h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Time: Apr 21, 2021 05:00 PM Harare, Pretoria

Join Zoom Meeting

<https://raubex.zoom.us/j/96890738995>

Meeting ID: 968 9073 8995

One tap mobile

+27214268191,,96890738995# South Africa

+27875503946,,96890738995# South Africa

3. **Please ensure**
 - 3.1 You are online and connected 10 minutes before the meeting starts.
 - 3.2 You have the most recent version of Zoom, as with an older version you may have connection or audio/video issues and be unable to participate effectively or at all.
 - 3.3 That the device you are logging in with has a registered name to permit access.
4. We thank you in advance for your cooperation, and look forward to interacting with you.
5. If you are experiencing problems on the day, please be kind enough to send a message via **WHATSAPP to 084 585 5706**, as we will be unable to take calls while administering a meeting.

Kind Regards/Vriendelike Groete

Sonette Smit

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 04:08 PM
To: Veronica Withers
Cc: Marlene Lingenfelder
Subject: FW: NICKI WITHERS - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation
Attachments: Greenmined MCCP Presentation 17.04.21 Final.pdf

Dear Nicki

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

1. The abovementioned matter and your email, dated **8 April 2021 09:14 AM**, as set out below, refer.
2. We hereby respond seriatim in **red font** to the unnumbered paragraphs of your abovementioned email, as set out below:

Good morning,

"I live on a riverbank property on the opposite side to Farm Woodlands."

2.1. Farm Woodlands consists of several portions:

2.1.1. Only 3 of these Portions make up Goosebay Farm, which Goosebay Farm, is the subject area of the MCCP Mining Right Application;

2.1.2. You have unfortunately, not indicated which of the Portions of the Farm Woodlands, you live opposite;

2.1.3. You have also unfortunately, not provided us with any proof of your abovementioned assertions.

"I am already impacted by the noise generated by mining activities, even though I am probably more than 3 kilometres away. I am aware of the noise of trucks and machinery from about 6am in the morning."

2.2. MCCP has not conducted Mining Operations for more than two years, and is not the source of the noise, which you are complaining about.

"I moved to this area to be close to the sounds of nature, not mechanical sound."

2.3. Noted.

"If I drive into the village of Vaaloewer I see desolate, destroyed bare soil over the mining area. It appears that no attempt has been made to restore the land back into a wildlife habitat."

2.4. Without further information, we are unable to comment on the above statement, save to record the following:

2.4.1. Sweet Sensations Mine, has disturbed a large area of approximately 30 hectares, which has not been rehabilitated – please raise this with Sweet Sensations Mine;

2.4.2.The Applicant for the current Mining Right, over Goosebay Farm, M CCP has no involvement or link to the Sweet Sensations Mine;

2.4.3.It seems clear that you are mistaking the Mine at Sweet Sensations (the Western most mined area), for Goosebay Farm (the fully rehabilitated area over which M CCP has applied for a Mining Right);

2.4.4.Please find herewith, the Greenmined Presentation Material, which has been discussed in detail with I&APs at all 6 of the Public Participation Meetings (we are disappointed that you did not choose to participate more fully in these meetings);

2.4.5.The Landowner Goosebay Farm (Pty) Ltd, previously mined areas of Goosebay Farm, in terms of Mining Permits. These Mining Permit Areas have been fully rehabilitated, as per the contents of the Greenmined Presentation, enclosed herewith;

2.4.6.Goosebay Farm (Pty) Ltd, proposes to Develop an Eco, River and Lifestyle Estate on Goosebay Farm and secured and Environmental Authorisation to do so, more than a decade ago;

2.4.7.As you have clearly viewed Goosebay Farm from a high point in Vaaloewer, you will be well aware of the abundant herds of game, acquired, bred and managed by Goosebay Farm (Pty) Ltd;

2.4.8.Vaaloewer have for more than a decade, had the enjoyment of being able to view said game from the comfort of their homes, without having in any way, had to contribute to the upkeep of such game;

2.4.9.Goosebay Farm (Pty) Ltd and the Applicant, will continue to maintain such herds of game, and even expand the number of species of endemic game (It goes without saying, that Goosebay Farm (Pty) Ltd has engaged the services of Expert Consultants to assist and advise it with regards to these matters, for more than a decade and continues to do so).

“I am voicing my concerns that further mining activity will result in further long term damage.”

2.5. M CCP and Goosebay Farm (Pty) Ltd (the Landowner), will ensure:

2.5.1.All Mining is conducted with strict accordance of mitigation measures and that the impact on the Environment, is therefore limited as much as possible;

2.5.2.It is proposed that continued development of the Eco, River and Lifestyle Estate and the Mining Activities, will continue simultaneously in parallel, as there is substantial synergy between these activities and processes;

2.5.3.Goosebay Farm (Pty) Ltd, as stated above, intends to Develop an Eco, River and Lifestyle Estate on Goosebay Farm and will not allow any long term damage to the Environment.

“I am strongly opposed to further mining activities in the area.”

2.6. Your sentiments are noted. However:

2.6.1.The aesthetic interests of residents of the area (of which you allege you are one), must be balanced against a multitude of considerations, including:

2.6.1.1. The stimulus to be provided to the National Fiscus and Economy, through the Mining and beneficiation of inter alia, Silica Sand, which is a strategic resource;

2.6.1.2. The income to be generated for the good of the Country, through Income Taxes and Royalties payable by the Applicant;

- 2.6.1.3. The realisation of the objectives of the Mining Charter, to the benefit of historically previously disadvantaged persons;
- 2.6.1.4. The direct stimulus to the Local Economy through the creation of jobs in the area (the Applicant will actively seek to employ inhabitants of the surrounding areas, and train and upskill such people as much as possible);
- 2.6.1.5. Through indirect stimulation to the National Economy, by the Mine being integrated into the Vertical and Horizontal mining value chain.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



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

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Suite 62, Private Bag x15
Somerset West, 7129

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

From: nicki withers [<mailto:nickiwithers@gmail.com>]

Sent: 08 April 2021 09:14 AM

To: Marlene Lingenfelder <admin@greenmined.co.za>

Subject: RE: MCCR DEIAR Notification - FS 30/5/1/2/2/10048 MR

Importance: High

Good morning,

I live on a riverbank property on the opposite side to Farm Woodlands.

I am already impacted by the noise generated by mining activities, even though I am probably more than 3 kilometres away. I am aware of the noise of trucks and machinery from about 6am in the morning.

I moved to this area to be close to the sounds of nature, not mechanical sound.

If I drive into the village of Vaaloewer I see desolate, destroyed bare soil over the mining area. It appears that no attempt has been made to restore the land back into a wildlife habitat.

I am voicing my concerns that further mining activity will result in further long term damage.

I am strongly opposed to further mining activities in the area

Regards

Veronica Withers

Keraweb Investments

Plot62 Main Road Lindequesdrif

Sent from [Mail](#) for Windows 10

Marlene Lingenfelder

From: Sonette Smit
Sent: 25 April 2021 04:26 PM
To: Marlene Lingenfelder
Subject: FW: NICKI WITHERS - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]

Sent: Sunday, April 25, 2021 4:08 PM

To: Sonette Smit

Subject: Delivered: NICKI WITHERS - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

Your message has been delivered to the following recipients:

nickiwithers@gmail.com

Subject: FW: NICKI WITHERS - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

WARRIN FLORES

Marlene Lingenfelder

From: Sonette Smit
Sent: 23 April 2021 02:20 PM
To: Marlene Lingenfelder
Subject: Fw:FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021
Attachments: image001.png

Vriendelike groete / Kind Regards
Sonette Smit
Managing Director

----- Original message -----

From: "Warrin F." <warrinf@gmail.com>
Date: Thu, 22 Apr 2021, 11:43 pm
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: Re: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021
Dear Sonette,

i am unable to submit my response to the Draft Enviro Impact Assesment Report in time to meet todays deadline as there were issues that were raised during the zoom meeting for which no conclusive answers were provided and I need more time to respond to these. I will forward my response soonest.

I'm a pensioner, and work as a volunteer with NGOs involved in community upliftment as well as numerous NGOs who are involved with environmental protection to fulfill our responsibility towards both current and future generations. As such both my time and resources are limited (...though not my passion)

Your sincerely,
warrin flores.

On Wed, 21 Apr 2021 14:39 Sonette Smit, <Sonette.S@greenmined.co.za> wrote:

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs that wished to attend the meeting on Saturday 17 April 2021, MCCP has arranged **an additional meeting** on **Wednesday 21 April 2021 at 17h00**, which I&APs will be able to attend Virtually, subject to what is set out in detail hereunder.

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 05:59 AM
To: Warrin
Cc: Marlene Lingenfelder
Subject: RE: Fw:FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

Dear Mr. Flores,

Monte Cristo Commercial Park (Pty) Ltd (MCCP) Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Public Participation

1. The above matter as well as your request for extension below, dated 22 April 2021 refers.
2. Please note that the abovementioned Public Participation Process was initiated on 19 March 2021, and that the mining right application has been in progress since 24 August 2018.
3. There has accordingly been sufficient opportunity for I&APs to review, engage on, and comment on, the DEIAR.
4. Please take note that such an extension as requested by you will require that revised Public Participation Process notices be delivered to all I&APs, failing which, such extension will result in the remaining I&APs being prejudiced, including I&APs that have already submitted comments and objections to be included in the FEIAR.
5. Having regard to the lateness of the request, in that it has been made on the final day in which you, as an I&AP, have been requested to submit comments, it is objectively not possible for us to provide sufficient notice of the extension to all I&APs.
6. We are accordingly not in a position to grant your request below.
7. Any response received after **26 April 2021**, will be submitted to the DMRE as a separate document.
8. We trust you will find the above in order and we thank you for your participation in this process.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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Suite 62, Private Bag x15
Somerset West, 7129

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

----- Original message -----

From: "Warrin F." <warrinf@gmail.com>

Date: Thu, 22 Apr 2021, 11:43 pm

To: Sonette Smit <Sonette.S@greenmined.co.za>

Subject: Re: FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

Dear Sonette,

i am unable to submit my response to the Draft Enviro Impact Assesment Report in time to meet todays deadline as there were issues that were raised during the zoom meeting for which no conclusive answers were provided and I need more time to respond to these. I will forward my response soonest.

I'm a pensioner, and work as a volunteer with NGOs involved in community upliftment as well as numerous NGOs who are involved with environmental protection to fulfill our responsibility towards both current and future generations. As such both my time and resources are limited (...though not my passion)

Your sincerely,
warrin flores.

On Wed, 21 Apr 2021 14:39 Sonette Smit, <Sonette.S@greenmined.co.za> wrote:

Dear registered I&APs

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Draft Environmental Impact Assessment Report ("DEIAR") and Environmental Management Programme ("EMPR") Notification

FS 30/5/1/2/2/10048MR

1. In order to accommodate I&APs that wished to attend the meeting on Saturday 17 April 2021, MCCP has arranged **an additional meeting on Wednesday 21 April 2021 at 17h00**, which I&APs will be able to attend Virtually, subject to what is set out in detail hereunder.

2. Please find herewith the Zoom link to the **Virtual Public Participation Meeting** to be held on **Wednesday 21 April 2021 at 17h00** to discuss the **Draft Environmental Impact Assessment Report ("DEIAR")** and **Environmental Management Programme ("EMPR")** for the proposed Mining Right application by Monte Cristo Commercial Park (Pty) Ltd over the following three farm portions: The Remaining Extent of Portion 1 of the Farm Woodlands 407, Portion 3 of the Farm Woodlands 407 and the Remaining Extent of the Farm Woodlands 407 in the Ngwathe Municipal District, Free State Province.

Date: Wednesday 21 April 2021

Time: 17h00

Topic: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report

Marlene Lingenfelder

From: Sonette Smit
Sent: 26 April 2021 06:03 AM
To: Marlene Lingenfelder
Subject: FW: Fw:FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]
Sent: Monday, April 26, 2021 5:59 AM
To: Sonette Smit
Subject: Delivered: Fw:FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

Your message has been delivered to the following recipients:

warrinf@gmail.com

Subject: RE: Fw:FW: Public Meeting to discuss the MCCP Draft Environmental Impact Assessment Report - 21 April 2021

YUSUF DADABHAY

Marlene Lingenfelder

From: Sonette Smit
Sent: 01 April 2021 11:07 AM
To: Ismail Roma Bricks; 'Manfred Muell'; yusufD@plazaboard.co.za
Cc: Marlene Lingenfelder
Subject: RE: Pure Source Mine

Good day Ismail Ebrahim Abdullah, Yusuf Dadabhay, and Manfred Muell

MCCP DEIAR Notification – Meeting registration.

1. We refer to your email dated **31 March, 2021 8:26 PM**
2. Thank you for registering for the public participation meeting of 10 April 2021 for the above mentioned project.
3. A link to the meeting will be send to you after the closing of the meeting registration period of **31 March 2021**.

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

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



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

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Suite 62, Private Bag x15
Somerset West, 7129

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

From: Ismail Roma Bricks [mailto:ismail@romabricks.co.za]
Sent: Wednesday, March 31, 2021 8:26 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: 'Manfred Muell' <manfred.muell@scientrix.com>; yusufD@plazaboard.co.za
Subject: Pure Source Mine
Importance: High

Good Day Sonette

I wish to register as an interested and affected party in relation to the proposed Pure Source Mine. Kindly note that I wish to be informed of all developments in relation to this project, including but not limited to being invited to the virtual public participation meeting.

Name: Ismail Ebrahim Abdullah
Contact Details: ismail@romabricks.co.za / 082 317 0154
Reason for interest: landowner of plot opposite the proposed project

Issues or concerns: my non-exhaustive concerns (which I reserve the right to expand on in greater detail at a later stage) include: environmental and ecological degradation along the Vaal river system in respect of both the environment and wildlife that exists (which will compound existing environmental trauma to the river system), property devaluation along the river way as a result of mining activities, noise, dust pollution, nuisance and diminishment of enjoyment of my property.

I have copied in neighbouring landowners Yusuf Dadabhay and Manfred Muell who also wish to register as I&AP's. Kindly register these individuals as well, they will revert with further contact information shortly.

Kind Regards

Ismail Abdullah

ROMA BRICKS

Tel: (012) 666 8779

Fax: 086 564 9822

Cell: 082 317 0154

E mail: ismail@romabricks.co.za

www.romabricks.co.za



The image shows a banner for ROMA BRICKS. On the left is the logo, a stylized 'R' made of bricks. To its right is the text 'ROMA BRICKS™'. Below the logo and text are two columns of contact information: 'HEAD OFFICE: 137 Ellman Street, Sunderland Ridge, Pretoria' and 'FACTORY ADDRESS: Portion 3B of Farm Eenzaamheid, Balmoral, Mpumalanga'. On the right side of the banner is a circular seal with the text 'THE ONLY 100% BLACK-OWNED B-BBEE LEVEL 1 MANUFACTURER OF PACE BRICKS'. In the background, there is a brick with three holes and some smoke or dust.

VAL DE BRUYN



Tel: 021 851 2673

Cell: 084 5855706

Fax: 086 546 0579

www.greenmined.com

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De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15
Somerset West, 7129

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

----- Original message -----

From: Val De Bruyn <valdebruyn5@gmail.com>

Date: Mon, 19 Apr 2021, 7:04 am

To: Sonette Smit <Sonette.S@greenmined.co.za>

Subject:

Mining sweet sensations. I hereby object to this mine. It will be a disaster for our roads and the environmental impact would be terrible. We live in vaaloewer which already faces many problems including water so with the mine running it would destroy the entire area

Marlene Lingenfelder

From: Sonette Smit
Sent: 24 April 2021 06:53 PM
To: valdebruyn5@gmail.com
Cc: Marlene Lingenfelder
Subject: FW: Mrs De Bruyn Response - Monte Cristo Commercial Park (Pty) Ltd ("MCCP") - Draft Environmental Impact Assessment Report – Public Participation Process

Dear Ms De Bruyn

Monte Cristo Commercial Park (Pty) Ltd ("MCCP") - Draft Environmental Impact Assessment Report – Public Participation Process

1. Your email dated **19 April 2021 07:04 AM**, as set out below, refer.
2. We hereby respond *seriatim* in **red font** to the unnumbered paragraphs of your abovementioned email, as set out hereunder.

"Mining sweet sensations. I hereby object to this mine."

- 2.1. Please note that the Monte Cristo Commercial Park (Pty) Ltd ("MCCP") Mining Right Application is **NOT** the Sweet Sensations Mine. The Sweet Sensation Mine is located to the West of the area over which MCCP has applied for a Mining Right, as is more fully set out hereunder.
- 2.2. The MCCP application area is located on the Remaining Extent, Remainder of Portion 1 and Portion 3 of the Farm Woodlands 407, whereas the Sweet Sensations Mine is located on the farm De Pont 228, which is located adjacent to the Remainder of Portion 1 of the farm Woodlands 407.

"It will be a disaster for our roads and the environmental impact wiuld be terrible. We live in vaaloewer which already faces many problems including water so with the mine running it would destroy the entire area"

- 2.3. It should also be noted that MCCP and the landowner share common directorship and shareholding, therefore it is in the interests of both the applicant and the landowner that the impacts to the environment and roads are minimised, and that all mitigation measures are adhered to.
- 2.4. We wish respectfully to draw to your attention, that MCCP is a responsible Corporate:
 - 2.4.1. Which will carry out Mining for proper regard for I&APs who live in adjacent areas;
 - 2.4.2. Who will not mine more than 10 Hectares at any given time. This is less than 2% of the total Surface Area of Goosebay Farm.
3. We trust that the above clarifies and addresses your concerns.
4. Thank you for your participation in this process and we confirm that your comments will be included in the Final Environmental Impact Assessment Report, for determination by the competent authority.

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director