

BONGANI MINERALS (PTY) LTD

APPLICATION FOR THE PROPOSED MINING OF TUNGSTEN ORE, MOLYBDENUM ORE, RARE EARTHS, COPPER ORE, ZINC ORE, GOLD ORE, SILVER ORE, TIN ORE, AGGREGATE AND SAND BY BONGANI MINERALS (PTY) LTD OVER PORTION 1 OF THE FARM 297 RD, PORTION 6 (REMAINING EXTENT) OF THE FARM NAMAQUASFONTEIN 76 RD AND PORTION 21 OF THE FARM NAMAQUASFONTEIN 76 RD, SITUATED IN THE WEST COAST MAGISTERIAL DISTRICT, WESTERN CAPE PROVINCE

PROOF OF PUBLIC PARTICIPATION – COMMENTS RECEIVED AFTER 17:00 ON 03 JULY 2023

DEPARTMENT REFERENCE NUMBER:

WC 30/5/1/2/2/10171 MR

PART 4 OF 4

JULY 2023



**EXAMPLE OF EMAIL RESPONSE SEND TO
COMMENTS RECEIVED AFTER COMMENTING
PERIOD CLOSED ON 3 JULY 2023 AT 17H00**

Marlene van den Berg

From: Greenmined Comments
Sent: Monday, 03 July 2023 17:09
To: Martin Coetzee; Greenmined Comments
Subject: RE: DSR Notice - WC 30/5/1/2/2/10171 MR - Bongani Minerals (Pty) Ltd - Adv. M Coetzee

Dear I&AP,

Thank you for taking part in the Public Participation Process of the mining right application applied for by Bongani Minerals (Pty) Ltd under reference number WC 30/5/1/2/2/10171 MR.

Please note our commenting period for this project is now closed.

Greenmined Environmental (Pty) Ltd, the independent environmental consultant on the application, thank you for your comments on the Draft Scoping Report and herewith acknowledge receipt of your correspondence dated 3 July 2023.

We take note of your concerns and it will be forwarded, for consideration by the Department of Mineral Resources and Energy (DMRE). Unfortunately as the Final Scoping report has been sent for printing your comments will not be incorporated into the Final Scoping Report.

All comments will be assessed and responded to in the Draft Environmental Impact Assessment Report, which will also be provided to the specialists forming part of the project team for their input. All comments, concerns and/or objections received as part of this process will be listed and submitted to DMRE for consideration.

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

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**COMMENTS RECEIVED AFTER COMMENTING PERIOD CLOSED ON 3 JULY
2023 AT 17H00**

No	Name	Interest
1.	Jo MacRobert	Jo MacRobert Attorney and Associates
2.	Adv Martin Coetzee	Legal counsel for I&AP's
3.	Lee Marinaki	Interested and Affected Party
4.	Alison Laing	Interested and Affected Party
5.	Walter Egli	Interested and Affected Party
6.	Sylvester Peverelle	Webber Wentzel
7.	Thea Jordan	Department of Environmental Affairs and Development Planning
8.	Mr Michael Roberts	Interested and Affected Party

1.

**COMMENTS RECEIVED FROM JO MACROBERT
ATTORNEY AND ASSOCIATES**

Marlene van den Berg

From: Jo MacRobert <law@jomacrobert.com>
Sent: Monday, 03 July 2023 17:02
To: Greenmined Comments
Subject: BONGANI
Attachments: 2023.07.03 Letter to Greenmined.pdf

Good day

Please find attached.

Jo MacRobert

JO MACROBERT ATTORNEY AND ASSOCIATES



c/o 17 Bergvliet Road Bergvliet 7945

Tel 021 713 1497

3 July 2023

Greenmined Environmental (Pty) Ltd
Private Bag X15
Somerset West
7129

For attention: Ms S Smit

By email: comments@greenmined.co.za

Dear Ms Smit

RE: NOTICE OF THE DRAFT SCOPING REPORT FOR AN APPLICATION IN TERMS OF SECTION 22 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 28 OF 2002 AND THE NATIONAL ENVIRONMENT MANAGEMENT ACT, 107 OF 1998 AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED), AS WELL AS THE NATIONAL ENVIRONMENTAL MANAGEMENT WASTE ACT, 59 OF 2008 SUBMITTED BY BONGANI MINERALS (PTY) LTD: REF WC 30/5/1/2/2/10171 MR

We refer to the above-mentioned application and to the Draft Scoping Report and submit comments herewith on behalf of the Eland's Bay Environmental and Development Action Group ("EBEDAG").

1. Statement of Interest

EBEDAG is a formally constituted non-profit civic organisation having a paid up membership and an elected Executive Committee. The organisation was established in 2005 with the general aim of promoting conservation efforts in the Eland's Bay / Verlorenvlei region. In this regard, EBEDAG has become well-known for its positive contributions and achievements which include:

- taking an active role in monitoring applications for development in the area;
- promoting efforts to preserve the estuary at Verlorenvlei and the adjacent coastal dunes;
- working extensively with government departments at local, provincial and national levels;
- working extensively with other organizations and authorities, including law enforcement agencies, civic organizations and nature conservation agencies;
- actively supporting the conservation of significant cultural and heritage sites in the area, including the declaration of Provincial Heritage Sites at Baboon Point in Eland's Bay and Diepkloof, near Redelinghuys.

Because the proposed mining of tungsten and molybdenum in the catchment area of Verlorenvlei poses a serious threat to Verlorenvlei and the surrounding area, EBEDAG registered as an Interested and Affected Party in respect of the previous applications made by Bongani Minerals in 2009 and in 2019, and along with many other objectors, submitted comments and objections at that time.

EBEDAG is therefore dismayed at the renewed application, for all the reasons we and other objectors have previously voiced, which reasons and grounds for objection remain valid in 2023.

2. Accordingly, EBEDAG submits the following comments and objections.
 - 2.1. The applicant currently holds a prospecting right over the proposed mining right application area. The application is for the mining of tungsten and molybdenum. The extent of the proposed mining footprint is 531.44ha, situated on 3 farms in the Moutonshoek Valley.
 - 2.2. The area demarcated for the proposed open-cast tungsten/molybdenum mine lies at the foot of the Piketberg Mountains and at the headwaters of the catchment area of an internationally acclaimed Ramsar site, the Verlorenvlei.
 - 2.3. The Piketberg Mountains and the Moutonshoek Valley contain sites of significant historical, heritage, ecological and agricultural value. For this very reason, the area was declared a Protected Environment in 2018.
 - 2.4. The Greater Cederberg Biodiversity Corridor is a well-established initiative which aims to connect the Wilderness area of the Cederberg Mountains via a corridor to the sea at Eland's Bay. The Piketberg Mountains and Moutonshoek Valley form an integral part of the

Biodiversity Corridor. The presence of a large-scale open-cast mine in the proposed corridor is completely out of line with this initiative, which is why the 2009 mining application was opposed by CapeNature and the Wildlife and Environment Society of South Africa. Mining activities and the conservation of the natural environment do not make for good bedfellows. There are all too many examples of this in South Africa – as a start, one needs only to witness the devastation caused by open cast mining on the West Coast north of Lambert's Bay.

- 2.5. The proposed location of the tungsten mine is in an area renowned for its links with the pre-colonial past. The Piketberg and surrounding mountains stretching to the sea at Eland's Bay contain hundreds of archaeological sites, many of which have not yet been fully excavated or mapped. The mountains and valleys of the area were the homes and shelters of people for tens of thousands of years, possibly even for hundreds of thousands of years, as excavations in the Cederberg and Eland's Bay have revealed. This heritage, including all rock art sites in the area, is a national asset deserving the highest level of protection and conservation. Mining activities are antithetical to the conservation of these sites. We urge the officials, when determining the merits of this application, to consider the consequences of losing these irreplaceable links to the distant past for the sake of a mine with a short-term life span.
- 2.6. As stated above, the proposed location of the mine is in the catchment area of Verlorenvlei, a Ramsar site and a riverine / wetland system of international significance. Mining activities in this location will have a severely negative effect on Verlorenvlei, particularly with regard to the following:
 - quantity and quality of water flowing into the Verlorenvlei system;
 - pollution of rivers and groundwater by the ore treatment plant and slime dams;
 - dewatering;
 - blasting, noise and dust which will destroy the natural habitat of indigenous flora and fauna;
 - visual impact of an extensive open-cast mine, mine machinery, and mining plant in a rural valley.
- 2.7. It is widely known and accepted that this area is "water-stressed" and that as of time of writing, the Verlorenvlei is under grave threat due to drought and over-extraction of water.
- 2.8. Agricultural land: the location for the proposed mine is at the epicentre of a profitable farming area which contributes to the local, provincial and national economy and which provides hundreds of permanent and seasonal jobs for farm workers. Agriculture is as much a mainstay of the South African economy as is mining, and in the face of global food

shortages, combined with the loss of valuable agricultural land in South Africa, every step should be taken to support and nurture farming activities and to prevent the alienation of agricultural land.

- 2.9 Loss of jobs: if the proposed mine is approved, thousands of farm workers will lose their jobs in the area. The majority of the workers currently employed on the farms in the area are women who will not be re-employed as mine-workers, machine operators, truck drivers, etc. We therefore question the assertion that mining activities will create jobs and lessen unemployment. To the contrary, research conducted by farmers in the area concludes that jobs will be lost and local unemployment will increase if the mine is approved.

3. Conclusion

EBEDAG hereby registers its strongest objection to the application for mining rights, which if granted, will:

- destroy prime agricultural land;
- destroy the livelihoods of farmers and farm-workers in the area;
- destroy the natural habitat of the protected Moutonshoek Valley;
- destroy any hope that the crisis affecting Verlorenvlei can and will be resolved through increasingly strict water management policies;
- destroy years of careful planning and initiatives in respect of the Greater Cederberg Biodiversity Corridor and in respect of the protection of internationally acclaimed heritage sites at Redelinghuys and elsewhere in the area.

In short, there will be large-scale and irreversible destruction of agricultural, heritage and protected environments. EBEDAG cannot condone this.

Kindly acknowledge receipt hereof. Please send all further notifications and reports relating to this application care of our offices addressed to law@jomacrobert.com

Yours faithfully

J A MacRobert on behalf of EBEDAG

Sent via electronic mail and unsigned by the writer, the signed copy is placed on file.

Jo MacRobert
ATTORNEY & ASSOCIATES

Attorney and FAMAC Accredited Mediator

Tel: 021 713 1497 · Cell: 083 269 2562 · law@jomacrobert.com
17 Bergvliet Road · Bergvliet · Cape Town · 7945 · South Africa

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2.

**COMMENTS RECEIVED FROM ADV MARTIN
COETZEE**

Marlene van den Berg

From: Martin Coetzee <marcec@mweb.co.za>
Sent: Monday, 03 July 2023 17:03
To: Greenmined Comments
Cc: Martin Coetzee
Subject: RE: DSR Notice - WC 30/5/1/2/2/10171 MR - Bongani Minerals (Pty) Ltd - Adv. M Coetzee
Attachments: OBJECTION_MINING RIGHT APPLICATION _MR10171_KARSTEN AND OTHERS.pdf

Dear Ms Smit

Attached please find a submission constituting the registration of objectors and I&AP's as well as inputs, comments and objections against the DSR for your attention.

Please acknowledge receipt hereof.

Kind regards

Martin Coetzee

**Advocate of the High Court
Qualified and Accredited Mediator
Legal Practice Council Registration No: 100274**

Cellphone: 082 940 6427
Email: marcec@mweb.co.za
Address: Welgelegen, Cape Town

From: Greenmined Comments <comments@greenmined.co.za>
Sent: Wednesday, May 31, 2023 1:26 PM
To: marcec@mweb.co.za
Subject: DSR Notice - WC 30/5/1/2/2/10171 MR - Bongani Minerals (Pty) Ltd - Adv. M Coetzee

Good day,

RE: NOTICE OF AN APPLICATION IN TERMS OF SECTION 22 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002), SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998 NEMA), THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED), AS WELL AS THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT 59 OF 2008) SUBMITTED BY BONGANI MINERALS (PTY) LTD OVER PORTION 1 OF FARM 297, PORTION 6 (REMAINING EXTENT) OF THE FARM NAMAQUASFONTEIN NO 76, PORTION 21 OF THE FARM NAMAQUASFONTEIN NO 76. REFERENCE NUMBER: WC 30/5/1/2/2/10171 MR.

Notice is hereby given of applications by Bongani Minerals (Pty) Ltd ("the Applicant") for:

- A mining right to mine Tungsten ore, Molybdenum ore, Rare Earths, Copper ore, Zinc ore, Gold ore, Silver ore, Tin ore, Aggregate and Sand.
- An environmental authorization ("EA") application in terms of the National Environmental Management Act, 1998 (act 107 of 1998) (NEMA) and the Environmental Impact Assessment Regulations, 2014 (as amended).
- An application for a waste license in terms of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008), to be included in the NEMA EA application.
- An application for water uses authorization to the Department of Water and Sanitation, in terms of the National Water Act, 1998 (Act No 36 of 1998).

- A heritage impact assessment and palaeontological impact assessment to be submitted to Heritage Western Cape in terms of the National Heritage Resources Act, 1999 (Act No 25 of 1999).
- A land development application to be submitted to the Department of Environmental Affairs and Development Planning in terms of the Land Use Planning Act, 2014 (Act No 13 of 2014).

Further to this, please find attached notification that the draft Scoping Report (DSR) and draft Social and Labour Plan (DSLPP) for the proposed project over Portion 1 of the Farm 297 RD, Portion 6 (Remaining Extent) of the farm Namaquasfontein 76 RD and Portion 21 of the farm Namaquasfontein 76 RD, situated in the West Coast Magisterial District, Western Cape Province is now available for your perusal.

A copy of the documents can be obtained from Greenmined Environmental (Pty) Ltd upon request or downloaded from the company website at <https://www.greenmined.com/mining-rights/>. Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or comments@greenmined.co.za should you require any additional information.

Kind Regards/Vriendelike Groete

Marlene van den Berg
Project Administrator



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OBJECTION AGAINST APPLICATION FOR MINING RIGHT, REGISTRATION OF INTERESTED AND AFFECTED PERSONS AND COMMENTS ON DRAFT SCOPING REPORT SUBMITTED IN TERMS OF THE PROVISIONS OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, ACT 28 OF 2008

KARSTEN BOERDERY (PTY) LTD & 733 OTHERS

OBJECTORS

BONGANI MINERALS (PTY) LTD

APPLICANT

APPLICATION REFERENCE NUMBER

WC 30/5/1/1/2/10171MR

PROPERTIES

PORTION 1 FARM 297; PORTION 21 OF THE FARM NAMAQUASFONTEIN 76; AND PORTION OF REMAING EXTENT OF PORTION 6 OF THE FARM NAMAQUASFONTEIN 76

This Objection is submitted on behalf of Karsten Boerdery (Pty) Ltd and 733 other Objectors (hereinafter referred to as the “**Objectors**”) and it constitutes a formal objection against an application for a mining right, WC30/5/1/2/2/10171MR (hereinafter referred to as the “**Application**”) as well as the Draft Scoping Report (“**DSR**”). The Objectors are interested and affected parties to the aforementioned application.

REGISTRATION AS OBJECTORS AND OR INTERESTED AND AFFECTED PERSONS (I&AP)

1. Karsten Boerdery (Pty) Ltd (“**Karsten**”) is hereby registered as an Objector and directly affected entity.
2. Karsten is the registered owner of the following properties:
 - (i) portion 2 of the Farm Namaquasfontein No 76, Piketberg;
 - (ii) portion 13 of the Farm Namaquasfontein No 76, Piketberg; and
 - (iii) portion 5 of the Farm Wilgenhoutdrift 48, Piketberg.

3. These properties are located either adjacent to or in close proximity to the mine area which is the subject matter of the mining right application to which objection is made in terms hereof, both with regards to the merits thereof and also failure to apply the requisite procedures.
4. Karsten already invested millions of Rands in relation to the agricultural activities on the relevant properties and its projection for expansion over the next 10 years also amounts to millions. Employment to approximately 375 persons is provided on these properties and it is expected that this figure will substantially increase when further expansions are implemented.
5. The agricultural endeavours of Karsten shall be detrimentally affected should the Applicant's application to establish an open cast tungsten mine in the area become a reality and will also impact upon its planned future activities. Apart from its own activities, it is also evident that all other farmers and employees in the Moutonshoek and adjacent areas would equally suffer as a result of the envisaged and far-reaching mining operations. These interests must be weighed against the merits of the Applicant's application for a mining right and the impact thereof, not only from an economic point of view but also environmentally and socially.
6. A complete list of the **733** Objectors is attached to this Objection as **Annexure A** and it is requested that they be also registered as such and as I&AP's. Correspondence with the Objectors should be done via writer's office.
7. It is recorded that I also represent the following institutions and request that they also be registered as I&AP's
 - (i) Agri Western Cape;
 - (ii) The Landmark Foundation;
 - (iii) Cape Flora SA;
 - (iv) Cape Leopard Trust;
 - (v) Krom Antonies River Water Users Association;
 - (vi) Thoroughbred Breeders' Association of SA ;
 - (vii) Velddrif Chamber of Commerce; and
 - (viii) Friends of the Verlorenvlei (1,241 members)
8. Notwithstanding the fact that the 30-day period for registering as I&AP and submission of comments expires on 3 July 2023, it will not be the end of the consultation process.

The Department of Mineral Resources and Energy's (**DMRE**) "Guideline for Consultation" makes it clear that "*Section 22 (4) (b) of the Mineral and Petroleum Resources Development Act requires the applicant to consult in the prescribed manner with interested and affected parties within 180 days from the date of the notice.*"

9. The Applicant's environmental practitioner Greenmined (Pty) Ltd ("**Greenmined**") therefore is wrong when it informed persons in their notice of 31 May 2023 that "*If we do not receive any comments from you before the end of the commenting period, it will be accepted that you do not have any additional objections/comments with regard to the project. We trust that you find it in order and kindly await your comments on this report.*" This is a misrepresentation and contra the DMRE's guidelines to the Applicant and its EAP.
10. I&AP's are entitled, and Writer therefore reserves the right to register additional objectors or I&AP's within the prescribed 180-day period. Greenmined will be notified accordingly.
11. It is not easy to get to all the people in the area and to inform them for the umpteenth time of yet another attempt by the Applicant to apply for a mining right in the area. Within a radius of 10 km from the proposed mine there are no less than 132 farms or farm portions covering almost 35,000 Ha. This excludes I&AP's along the Krom Antonies River, the Verlorenvlei area right up to Elands Bay.
12. It is further recorded that the following landowners' properties (19 farms) are located within, adjacent to or in close proximity to the mine application area:
 - 12.1. Wilgerbosdrift (Pty) Ltd – Portion 1 of Farm Namaquasfontein 297, Piketberg.
This property is earmarked as the epicentre of the envisaged mine.
 - 12.2. Namaquasfontein Boerdery Trust – Portions 4 and 5 of Farm Namaquasfontein 76, Piketberg;
 - 12.3. Kromvlei Twisniet Farming (Pty) Ltd – Portion 6 (Remaining Extent) of Namaquasfontein No 76;
 - 12.4. Zebraskop Boerdery (Pty) Ltd – Portion 21 of Namaquasfontein No 76;

- 12.5. HP Smit & Seuns – Remainder of the Farm Namaquasfontein 78; Portion 1 of the Farm Namaquasfontein 77; and Portion 1 of the Farm Namaquasfontein 76;
 - 12.6. Wendy Janet Smit – Remainder of the Farm Namaquasfontein 76;
 - 12.7. Annalene Van Niekerk Family Trust – Portion 3 of the Farm Namaquasfontein 76;
 - 12.8. Jacobus Johannes Smit – Remainder of Portion 2 of the Farm Wilgenhoutdrift 48;
 - 12.9. Windheuwel Trust - remainder of Portion 3 of the Farm Wilgenhoutdrift 48;
 - 12.10. Riviera Trust - Portion 6 of the Farm Wilgenhoutdrift 48;
 - 12.11. Wilgerbosdrift (Pty) Ltd – the Farm Wilgerbosdrift 51, Piketberg; and Portions 4, 5, and 8 and the Remainder of Farm Ezelfontein 47, Piketberg; and the Remainder and Portions 21, 24 and 25 of the Farm Tweekuiken 44, Piketberg; and Portion 5 of the Farm Goergap 40, Piketberg (together the **“Wilgersdrift Properties”**)
13. The rest of the Objectors as Interested and Affected Parties include-
- (i) Farmworkers and their families on the above and other farms;
 - (ii) the Karookop Primary School with earners and their parents;
 - (iii) the !Aman // Aes Traditional authority;
 - (iv) Residents from Redelinghuys, Piketberg and Elands Bay
14. The Objectors for all intents and purposes are directly interested and affected parties.
15. The Objectors are aware of the fact that -

- (i) Moutonshoek Investments (Pty) Ltd, the registered owner of Portion 1 of Farm Namaquasfontein 297; and
- (ii) Zebraskop Boerdery (Pty) Ltd, registered owner of Portion 21 of Namaquasfontein No 76 (Zebraskop Boerdery (Pty) Ltd) and legal occupant of Portion 6 (remaining extent) of Namaquasfontein No 76),

shall also register as I&AP's and object to the Application by Bongani Minerals (Pty) Ltd. **It is not ruled out that the aforementioned would join forces with Karsten and the rest of the Objectors, to oppose the application for environmental authorisation should the DMRE approve the final scoping report.**

16. With regard to the area the following is recorded:-

- 16.1. Owners and employees would be relocated or forced to cease or scale down on farming activities in the event of an opencast tungsten mining right in favour of Bongani Minerals (Pty) Ltd is to be granted.
- 16.2. The entire area holds significant and well-documented socio-economical, cultural, ecological and historical value for the Piketberg Region. Most importantly it forms part of the catchment area for the Krom Antonies River.
- 16.3. Active and self-sustained farming activities have been in existence for more than 300 years on the farms.
- 16.4. Since 1993 it hosts one of the best known and internationally acclaimed horse breeding studs in South Africa, the Wilgerbosdrift Racing Horse Stud comprising thoroughbred horses accommodated in camps. The said Stud produces much sought-after world-class yearlings for racing in South Africa and abroad.
- 16.5. In addition, the Properties are under citrus, lucerne, teff, oats, buchu, potatoes, and wine grapes. Grapes are provided to Testalonga Wines, Eendekuil, Piketberg.
- 16.6. The Objectors also jointly own a cattle herd producing 28 tons of meat per year.

- 16.7. The farming activities provide work and a source of income to approximately 700 employees. Accommodation on the farms is provided to families of the employees. Final figures will be provided in the objection to the DEIAR, should the DMRE accept the Scoping Report.
- 16.8. The majority of the properties form part of the Moutonshoek Protected Environment. More properties would in due course apply to be included in the protected environment.
- 16.9. The Properties are totally dependent upon groundwater for all intents and purposes;
- 16.10. These specific Objectors have made significant investments in their properties and farming activities.
- 16.11. Significant future expansions are also expected.
- 16.12. All of the above are now under threat by the Applicant seeking to establish an open cast mine to mine for tungsten in the area. Not only will the envisaged mining operations severely and detrimentally affect the Objectors' agricultural activities and its considerable present and future investments, but also the security and livelihood of its employees, of all local people. To satisfy its own greed the Applicant is willing to deprive employees of the farms not only of their income, but also their upliftment and empowerment achieved over decades.
- 16.13. It was noted that the Applicant considers "relocating" the Objectors, the farm workers and their families and livestock. Already at this stage of the Objection the **Objectors wish to emphasize that they will not relocate under any circumstances at all. They will continue to earn their living as they have done for decades, and they will continue to look after their employees and their families.**
- 16.14. It is considered as an ideal location for eco-tourism purposes.
- 16.15. Employees on various farms and seasonal employees from the area: Any adverse impacts upon the affected farms by the proposed mining would have a detrimental impact upon all farm employees and their families. Some have been employed for more than 3 generations longer. They have been trained for what they do, especially looking after thoroughbred horses, and they would

not be able to find similar work in the area. They would also lose out on all socio-economic benefits they currently enjoy and provided for by their employers. They simply do not understand why they have to endure this to make way for Bongani Minerals (Pty) Ltd and its 139 mine workers.

- 16.16. Other interested and affected parties include a diverse spectrum of parties. Parties whose livelihood in some way or the other is dependent upon produce produced by the farms, such as consumers, agents, producers and customers.
- 16.17. No accurate figures can be given, but even a conservative estimation of the value of the affected properties, their products, jobs provided, socio-economic benefits, etc., could run into hundreds of millions of Rands, if not billions. It is trusted that the Applicant would provide an assessment in this regard in its DEIAR.
- 16.18. Based upon the above all the Objectors have every right to object to the application for a mining right and this Objection constitutes a vehement opposition to the envisaged mining operations.

THE APPLICATION

17. Bongani Minerals (Pty) Ltd (hereinafter referred to as the "**Applicant**") applied for a mining right in terms of section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), (hereinafter referred to as the "Act") to mine for tungsten and molybdenum on
- the remaining extent of portion 6 of the Farm Namaquasfontein 76, Piketberg;
 - portion 21 of the Farm Namaquasfontein No 76, Piketberg; and
 - the whole of portion 1 of the Farm 297, Piketberg,
(hereinafter referred to as the "**Affected Properties**")

This application was apparently accepted by the DMRE: Western Cape Region. The Applicant provided no proof of this.

18. It is standard practice and in fact required, that the Applicant must, amongst others, consult with the landowners, lawful occupiers and any interested and affected parties. This consultation process "*does not imply issuing letters and requesting parties to indicate whether they support your proposed project or not. It includes among others an*

extensive process of giving and discussing the specific details of the project, giving the interested and affected parties an opportunity to table their comments, objections and support. It also involves your written responses and specific commitments made in dealing with issues raised during consultation.”

19. The DMR, in its published general guidelines, follows the findings of the Constitutional Court in Bengwenyama Minerals (Pty) Ltd and Others V Genorah Resources (Pty) Ltd and Others 2011 (4) SA 113 (CC) pertaining to consultation by applicants with landowners, communities and interested and affected parties. In these guidelines it is mentioned that the *“the intention of the Act is **to make the application known** in order to afford communities and interested and affected parties an opportunity to raise comments and concerns before the application can be processed further”*.

20. The Applicant is reminded of the fact that the salient points in the Constitutional Court’s decision in this regard were and still are:
 - The purpose of the consultation is to provide landowners or occupiers with the necessary information on everything that is to be done, so that they can make an informed decision in relation to the representations to be made.

 - The consultation process and its results are an integral part of the fairness process because the decision cannot be fair if the administrator did not have full regard to precisely what happened during the consultation process in order to determine whether the consultation was sufficient to render the grant of the application.

 - The consultation process required by the Act requires that the applicant must:
 - inform that his application for mining rights on the owner’s land has been accepted for consideration by the regional manager of DMR;
 - inform in sufficient detail of what the mining operation will entail on the land, in order for interested and affected party to assess what impact the mining will have on the use of the land;
 - consult with the landowner with a view to reach an agreement to the satisfaction of both parties in regard to the impact of the proposed mining operation; and
 - submit the result of the consultation process to the regional manager of DMR within 30 days of receiving notification to consult.

21. Further according to the DMR, consultation must include meeting with the community and landowners and the interested and affected parties, which meetings must include dealing with the requirements set by the Constitutional Court.
22. The only process in which the Objectors were engaged with regard to the Application was the receipt of the notice to peruse the draft scoping report. Normally I&AP's would register within the 30-day period for commenting on the application and registering as an I&AP. The DSR would then be sent to all those that registered. In this instance Greenmined deprived I&AP's with 30 days that they had to peruse and comment on the application.
23. It is furthermore submitted by the Objectors that the Applicant:-
 - did not arrange for any public meeting to discuss those matters as instructed by the Constitutional Court and the DMRE; and
 - apart from a generic DSR, failed to provide substantial, material and relevant information pertaining to the Application.
24. It is the Objectors' contention that the consultation or public participation process is materially flawed and the DMRE should reject the DSR and Application on this basis alone.

THE APPLICANT

25. Apart from the fact that the Applicant is identified as Bongani Minerals (Pty) Ltd, absolutely no further information is provided regarding the Applicant, its directors and shareholders.
27. Furthermore, the Objectors have no information regarding the Applicant's technical and financial capabilities.
28. It is therefore not possible for the Objectors to form any opinion on the status and abilities of the Applicant, its shareholders or the latter's shareholders, and this information is requested from the Applicant.

HISTORY

29. The Applicant and its representatives deliberately are silent on their poor history involving prospecting and mining right applications in respect of the same area.
30. Mention must be made of all the Applicant's abortive attempts to get and/or commence with a prospecting right or a mining right.
31. Although the Applicant wishes to downplay the history and argues that this application is a "new" application and should be considered afresh, it is the Objectors' submission that this application cannot be seen in isolation, but should be dealt with, with due cognisance of three previous prospecting right applications and three previous unsuccessful mining right applications submitted by the Applicant in respect of the same properties to which the current Application relates.
32. These applications were as follows:
 - (i) A prospecting right application submitted by the Applicant during September 2005. This application was rejected on grounds of pollution concerns;
 - (ii) The second prospecting right application submitted by the Applicant on or about September 2006. This application was granted on 3 April 2007 but was taken on judicial review by the Objectors. The right lapsed before the review could be finalised;
 - (iii) The first mining right application WC 30/5/1/2/2/328 MR submitted by the Applicant on 25 March 2009. After vigorous objections clearly indicating deficiencies in the application and related documentation and the apparent inability to complete a proper environmental impact assessment, this application was withdrawn by the Applicant;
 - (iv) The second mining right application WC 30/5/1/2/2/385 MR submitted by the Applicant on 28 September 2009. After vigorous objections clearly indicating deficiencies in the application and related documentation, this application was also withdrawn by the Applicant; and

- (v) A third prospecting right application under WC30/5/1/1/2/434PR dated 31 March 2010. This prospecting right was granted by the DMR on 1 July 2011 but was never exercised. The Applicant's applications for consent use (to be submitted to the relevant local authority having jurisdiction) to conduct prospecting right operations on the properties in question were refused. It is the Objectors' information that the owner of portion 1 of Farm 297 again would not consent to any application for consent use on its property to mine for tungsten. It is also recorded that prospecting right 434PR **expired on 30 June 2014**.
- (vi) A third mining right application under WC30/5/1/1/2/10110MR was submitted on 14 January 2019. This application did not proceed beyond the draft scoping report. After almost 4 years the DMRE refused to grant the Applicant any further extensions to submit an environmental impact assessment report. The application therefore lapsed in toto.
- (vii) The fourth mining right application, being this Application was apparently submitted by the Applicant during May 2023, under WC10171.

33. It is unknown to the Objectors why the Applicant persists in its endeavours to obtain a mining right in respect of the Affected Properties whilst it was, in the past, met with so many obstacles and objections. What is however clear is that the process is driven purely to satisfy the Applicant's monetary desires. No-one else would benefit.

INFORMATION REQUIRED AND INFORMATION SUBMITTED

- 34. Neither the Objectors nor any other interested and affected party has been provided with a copy of the mining right DSR and its supporting documentation as provided for in the Act and the Regulations.
- 35. It is trite that a scoping report required in terms of Regulation 21 of the NEMA EIA Regulations is a forerunner of the environmental impact assessment report. Should it then be the Objectors' understanding that, according to the Applicant, the consultation process would only focus upon the NEMA scoping report and environmental impact assessment report?

36. No indication could be found in the documents that I&AP's were also invited to submit comments on the mining right Application, or any indication that the complete application is available upon request or on their website.
37. The Application, if duly submitted, in terms of regulation 10 must contain substantive and material information. Information that is imperative to inform any I&AP of the proposed activity and compliance with regulation 10 (1)(a) to (n). Without this information being made available it simply would not be possible for any I&AP to meaningfully comment on the Application.
38. Greenmined did not even submit a Background Information Document (BID) this time round, and it would appear that the Applicant wishes to cut corners. Objectors have been deprived of the right to peruse the Application and to submit comments thereon.
39. It is submitted that the consultation process does not imply issuing letters and requesting affected parties to indicate whether they support your proposed project or not. It includes among others an extensive process of giving and discussing the specific details of the proposed project, giving the I&AP's an opportunity to table their comments, objections and support.
40. Is it the intention of the Applicant to provide I&AP's only with an opportunity to comment upon the draft scoping report? If not, when will all material information to be contained in the Application for a mining right be made available to enable I&AP's to make informed comments or will they again argue that the Application is confidential or privileged. By adopting this stance, the Applicant unreasonably withholds substantive and/or material information from any and all I&AP's. It is accordingly difficult for the Objectors and others to meaningfully object and comment on the Application.

MOUTONSHOEK PROTECTED ENVIRONMENT

41. It is common knowledge that two of the Affected Properties, (namely Portion 1 of the Farm 297 and Portion 21 of the Farm Namaquasfontein 76), together with 19 other properties are located within the demarcated Moutonshoek Protected Environment.
42. It is also the understanding that more landowners intend to apply for their properties to be also included in the Moutonshoek Protected Environment.

43. On 20 April 2018, Provincial Minister of Local Government, Environmental Affairs and Development Planning in the Western Cape, under section 28(1)(a)(i) of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003), declared a protected environment on 21 different farm portions. (Provincial Notice 56 of 2018, Provincial Gazette 7916 of 20 April 2018).
44. The purpose of declaring the area as a protected environment is comprehensively set out in Section 17 of the National Environmental Management: Protected Areas Act, 2003, and, amongst others, includes-
- to conserve biodiversity in those areas;
 - to protect areas representative of all ecosystems, habitats and species naturally occurring in South Africa;
 - to protect South Africa's threatened or rare species;
 - to protect an area which is vulnerable or ecologically sensitive;
 - to create or augment destinations for nature-based tourism;
 - generally, to contribute to human, social, cultural, spiritual and economic development; or
 - to rehabilitate and restore degraded ecosystems and promote the recovery of endangered and vulnerable species.
45. Section 48 of the Protected Areas Act prohibits mining in a protected environment. In terms of this section no person may, despite other legislation, conduct mining in a protected environment without the written permission of the Minister for national environmental management and the Cabinet member responsible for minerals and energy affairs.
46. The Applicant, its environmental consultant and the DMRE are fully aware of this prohibition, yet the Applicant applies for a mining right in the Moutonshoek Protected Environment and the DMRE apparently accepted such Application without following due process.
47. The Objectors acknowledge that there might be an exemption where mining activities will be allowed in a protected environment which may happen if both the Minister for Environmental Affairs and the Minister of Mineral Resources and Energy give their consent to such mining activities. Obtaining these ministers' consent would presuppose an Application by the Applicant for such consent. A properly motivated Application why

the ministers should exercise their discretion in favour of the Applicant. The Objectors could find no trace of any Application of this nature. On the contrary, it may be possible that the Applicant relies upon the Minister for Mineral Resources and Energy to address this issue. Nevertheless, whatever course of action is followed, any such decision would have an impact on certain interested parties, and, for that matter, the Minister would be compelled to follow the processes and procedures that are prescribed in terms of the Promotion of Administrative Justice Act, 3 of 2000.

48. The Applicant is silent on how it intends dealing with this statutory prohibition on mining in the area.

LAND USE OF AFFECTED AREAS

49. The Affected Properties are located within the jurisdictional area of Bergrivier Municipality and are currently zoned as Agriculture Zone 1 in terms of the Bergrivier Municipality: Integrated Zoning Scheme By-Law, 2016. The current zoning of the subject farms does not allow for mining or prospecting and therefore a land use planning Application must be submitted to Bergrivier Municipality.
50. In terms of the Integrated Zoning Scheme the objectives of Agricultural Zone 1 is to promote and protect agriculture on farms as an important economic, environmental and cultural resource. Limited provision is made for non-agricultural uses to provide rural communities in more remote areas with the opportunity to increase the economic potential of their properties, provided these uses do not present a significant negative impact on the primary agricultural resource. Agriculture means the cultivation of land for raising crops and other plants, including plantations, the keeping and breeding of animals, birds or bees, stud farming, game farming, intensive horticulture; intensive animal farming; a riding school or natural veld, and it does not include any mining activity.
51. The only zoning that allows for mining activities is Industrial Zone IV where mining is a primary land use.
52. It therefore follows that the Applicant shall have to apply to the Bergrivier Municipality for the rezoning of the relevant portions of the Affected Properties from agricultural to industrial zoning in order to conduct mining activities.

53. In terms of Section 15(2) of the Municipal Planning By-law only the owner of the land or his or her agent may apply to the Municipality for the rezoning of land. It is recorded that the owners of the Affected Properties shall not apply for neither shall it give consent to anybody that a rezoning Application be submitted. The surrounding properties shall also vehemently object to any such Application to convert agricultural land and a protected environment into a mining industry envisaged by the Applicant. The Applicant's attempt to conduct mining activities on the Affected Properties shall be opposed, even in the unlikely event that the DMRE approves the Application for a mining right.
54. In this regard the Applicant is referred to the comments made by the District Manager: LandCare West Coast of the Provincial Department of Agriculture during the 2019 Application. The District Manager strongly opposed the Application for the mining right under discussion for the following reasons:
- The mining activities shall leave an inheritance that will remain for far longer than its working lifespan, causing a massive environmental problem similar to what is already been experienced in other areas in the world.
 - Never being able to fully compensate negative impacts of the proposed mine to the state, the environment and land users.
 - Prevent the continuation of farming on High and Unique Agricultural Land.
 - Impact negatively on the right to farm the subject properties and surrounding farms.
 - Permanently pollute the natural agricultural resources with minerals that have high levels of toxicity and are classified as emerging contaminants.
 - Expose minerals to air and water that will begin to produce acid, which will leach into run-off water to be dispersed into ground and surface water.
 - Result in acid mine drainage occurring in the remaining mine pit after mining and rehabilitation.
 - Permanently negatively affect water flow in the Krom Antonies River due to dewatering of the mining area.
 - Negatively impact yields on boreholes and wells of surrounding groundwater users and may lead to some drying up due to the mine.
 - Negatively impact on groundwater dependent wetland systems.
 - Produce toxic dust that will impact on the production and market value of fruit and table grapes.
 - Impact negatively on future agricultural activities and the continuation of current agricultural activities.

- Impact negatively on proposed new agricultural developments.
- Contaminate the agricultural and environmental resources of the catchment.
- Negatively affect the current agricultural production of the entire Moutonshoek Valley and other farms in the Verlorenvlei catchment area.
- Negatively affect the legally executed water use rights of surrounding farmers.
- Negatively affect Broad-Based Black Economic Empowerment
- Negatively affect the sustainable management of the Verlorenriver and its Estuaries.
- Negatively affect the farming community, land users and workers.
- Will have a permanent negative impact on the current number of agricultural jobs as well as the long-term number of agricultural jobs.
- Nullify the project investments made in this area by the office of the District Manager and other government entities.

It is the obligation of the Applicant to convince the decision-making authorities that its proposed mining activities would not result in the above.

It is for these reasons that also Agri Western Cape objects to the Application and DSR.

55. The Applicant concedes that it would also need to obtain the permission of the Head of the Department of Environmental Affairs under the provisions of Section 53 of the Western Cape Land Use Planning Act, 2014 (Act No. 3 of 2014). In terms of this section no person may without an approval develop land that will have a substantial effect on agriculture, due to the nature or scale of the proposed land use. The Applicant is reminded of the fact that the Department who must consider the Applicant's Application in terms of this section, will be the very same Department that declared the Moutonshoek Protected Area.
56. Both the Applicant and the DMRE should be painfully aware of the fact that despite the Applicant being granted a prospecting right in 2011 to prospect for certain minerals, it was never able to exercise its rights under that prospecting right. Due to land use considerations as explained above, the Applicant was not able to obtain any consent to prospect on land zoned for agricultural use. It was refused by the Bergrivier Municipality because the prospecting activities would have a negative impact upon the natural environment and the alleged benefit of the prospecting activities did not outweigh those that would be lost as a result of the prospecting activities.

57. The Applicant now applies for a much more invasive mining right. It is the Objectors' contention that even if the DMRE could find justification to grant a mining right (which, in the opinion of the Objectors, based on facts, should not be the case), the end result would probably be exactly the same. The Applicant would not be able to obtain approval to rezone the affected properties from agriculture to industrial zone to render its envisaged mining activities an allowed land use.

MINERALS ON THE PROPERTY

58. At the crux of every mining right Application, including that of the Applicant, is the availability and extent of the mineral resource that is to be extracted.
59. The Objectors could find no conclusive evidence submitted by the Applicant pertaining to, amongst others:-
- the locality of the mineral deposit relative to the mining area,
 - the information required in terms of Regulation 8 in cases where the Application was preceded by a prospecting right,
 - existing exploration results and supporting geological reports,
 - a description of the geological structure of the mineral deposit;
 - the size of the deposit,
 - the depth of the mineral deposit below surface;
 - details of proven and probable reserves,
 - estimated grades of the deposit.
60. Furthermore, no evidence was submitted regarding:-
- The specific mining techniques to be used;
 - The position of access roads, shafts or declines, workshops, offices and stores, pumping facilities, primary development or pit design, processing plant locality, overburden and residue deposition sites, topsoil storage sites, stockpiles, waste dumps, and any other basic mine design features;
 - A description of any specific engineering constraints that may be anticipated in accessing and extracting the mineral resource, such as groundwater management, flooding, surface protection, fly rock risks, seismicity, or any other identified constraints; and

- Information as to whether the mining operation or part thereof is to be contracted out
61. The Applicant and its EAP state that the Application is supported by evidence acquired under its prospecting right. No documentary proof of this results is however submitted, and the existence of such results is queried.
62. On 21 December 2018, Greenmined was requested to make available documentation reflecting and confirming the “outcome of the prospecting operation”. Greenmined responded on 8 January 2019 as follows “*The prospecting operation referred to in the BID included geological re-logging of the available historic diamond drill core, resampling of a select number of these holes and a short-lived diamond drilling programme on the Remainder of Portion 6 (portion of portion 2) Namaquasfontein Farm No 76. Your request for “documentation reflecting and confirming the outcome of the prospecting operation” has been forwarded to the applicant and we will respond accordingly upon receipt of the relevant documentation*”. In this regard the following:-
- (i) It is recorded that, and not surprisingly, no documentation regarding the alleged prospecting has been forthcoming from the Applicant; and
 - (ii) Gleaning from the response of Greenmined it is clear that the prospecting activities were those identified under 434PR before it was aborted by the Applicant. No reference is made to any activities under the alleged 10197PR.
64. Based on the above, the Objectors take issue with statements made by the Applicant that it conducted prospecting activities and that, in the process, it obtained information that justified the Application. It is accordingly necessary that this aspect receives further scrutiny by all the relevant authorities that will be engaged in the consideration of the Application and associated authorities.
63. The Objectors, in the absence of any substantive supporting evidence in this regard by the Applicant, are not aware of any authority since 1908, that would sign off a finding that would conclude that anything else than a very low possibility of extracting an economically viable mineral deposit would be applicable to the Application area.
64. The Applicant’s very own consultant, SRK Consulting, in April 2013 submitted a report “*Technical review of the Riviera Tungsten Deposit, Western Cape Province, South*

Africa". The request was for SRK to compile and sign off on a technical review of their Riviera Tungsten Project. The report was compiled by Prof A Rozendaal and Dr H Theart. Incidentally, this report was compiled at the instructions of the Applicant after 434PR was granted. Its objective was to provide the Applicant with technical advice and strategic advice and to prepare an Independent Technical Assessment of the projects.

65. It is clear that the technical review did **not** provide a SAMREC (South African Mineral Resource Committee) or JORC (Code prepared by the Joint Ore Reserves Committee of the Australasian Institute of Mining and Metallurgy, Australian Institute of Geoscientists and Minerals Council of Australia) compliant classified mineral resource and suggested an indicated-classified **resource** might be attainable if further exploration is completed. Such further exploration would include substantial further drilling and would necessarily also include bulk sampling. There is no evidence that this was done by the Applicant.
66. The Objectors were informed by its consultants that during 2008 the Applicant requested Venmyn Rand to conduct an independent preliminary scoping study. Venmyn concluded that the Mineral Resource statement is not SAMREC or JORC Code compliant and as a result, it had the status of a conceptual study.
67. Both Venmyn 2008 and SRK 2013 make it clear that a new pre-feasibility level study must be completed after results for the recommended exploration are integrated. The economic extraction **potential** of Riviera would be a primary outcome of such work.
68. It is the Objectors' contention that no right to mine can be approved for a deposit without a SAMREC or JORC declared classified resource and with not established (or unknown) prospects of economic extraction.
69. The Applicant is challenged to provide documentary proof that the tungsten and molybdenum deposits allegedly to be found on the Application area is a SAMREC or JORC classified mineral resource.
70. Furthermore, the Applicant is obliged to provide substantive information that it has concluded a pre-feasibility and feasibility assessment with regard to the mining operations. It has to provide a concept techno-economical assessment report reflecting not only a closure plan, but more importantly an opening and operational plan for the envisaged mine.

71. The Applicant is also requested to provide evidence confirming the economic viability of the mining operations, especially in light of the fact that the tungsten price (US dollars per mtu WO₃) since 2012 has dropped by 67% (<https://www.metalary.com/tungsten-price/>)
72. It is clear from the DSR that it is the Applicant's sole intention to export the mineral product. None is earmarked for the local market. In light of the fact that China and Russia account for 90% of the world supply, the Applicant must give an indication of who its market would be and how it would compete with the major role-players in the tungsten industry. In the final analysis, any of these potential benefits must be weighed against the detrimental effects of the intended mining operation having regard to the interests, not only of those farmers conducting agricultural activities but also the broader community and the environment.
73. The Objectors wish to draw the attention to what would appear to be an inconsistency in the DSR. The Applicant made certain comments on specific topics and refers to Information extracted from the Technical Review of the Riviera Tungsten Deposit, Western Cape Province, South Africa, SRK Consulting, 2018. Gleaning from the information provided it is clear that the reference should have been to the 2013 SRK report. If however, SRK Consulting provided a similar report in 2018, such report must be made available to the Objectors, please.

HYDROLOGICAL IMPACTS

74. Ample evidence exist that the Krom Antonies River Valley and the regions downstream from the intended mining area are highly sensitive areas where the regular supply of good quality river and groundwater are essential for their existence, and the livelihood of all that reside and make a living there. Further downstream, the RAMSAR site of Verlorenvlei is also dependent on the water from the Krom Antonies River to keep the salinity regulated.
75. The onus is on the Applicant to produce substantive evidence that the mine will not have a negative effect on the quality of the ground and river water flowing from the valley and also will not significantly reduce the volume of groundwater in the region and water in the Krom Antonies River. In particular the following negative impacts must be considered-

- mining operations would draw an amount of water that would make farming in the area unsustainable.
- Water quality of the aquifers and water in the Krom Antonies river would be negatively affected due to runoff through the mine and mine dump.
- Acid mine drainage (AMD) will occur through the lifetime of the mine from water seeping into the pit.
- A large tailings dam shall pose a risk of spills causing massive contamination to the surrounding area.
- Water filling up the mine pit will become acidic from AMD and eventually decant and contaminate the surrounding groundwater.

DRAFT SCOPING REPORT

76. The Objectors will now deal with specific matters of the DSR submitted by the Applicant on or about 30 May 2023.
77. After perusing the contents of the DSR it is submitted by the Objectors that **it is difficult to comment on the document because the information provided to explain the project was mostly general, and not specific to make constructive and specific comment possible**. It would appear that –
- (i) Material and substantive matters would be dealt with only when the draft environmental impact assessment report (DEIAR); and
 - (ii) The only alleged specialist report is a report submitted in 2009/2013 by SRK Consulting referred to as “*Technical review of the Riviera Tungsten Deposit, Western Cape Province, South Africa.*” As mentioned this report was not made available to the public.
78. The aforesaid was also the conclusion by the DMRE when a similar Application was considered under 328MR and consequently refused the mining right Application on 24 June 2009. It is trusted that the DMRE would be consistent in its consideration of the subject DSR.
79. The DSR is part of the Application for environmental authorisation and does not deal with the mining right Application.

80. The DSR comprises of a generic completion of a scoping report pro forma required by the DMR. References are made to extraction of dated reports that formed part of previous prospecting and mining right Applications by the Applicant and in most cases the Applicant and/or its consultant addresses an issue simply by stating that it will be dealt with in the environmental authorisation report. No specialist reports were provided. As a result, it remains extremely difficult and almost impossible for the Objectors to process the information and provide meaningful comments.
81. The scoping report contemplated in Regulation 49 is founded on the principle of consultation with interested and affected parties, which consultation process and its results are an integral part of the fairness process. If the consultation process was not sufficient then the decision-maker cannot grant any Application. All indications are that the current consultation process was flawed.
82. The DMR has published guidelines for the compilation of a scoping report. Any applicant, including the Applicant, is obliged to comply with these guidelines. Measured against these guidelines it is clear that the Applicant has failed materially in its obligations in this regard. The Objectors fail to see how the Applicant will be able to attend to the following before it has to submit its final scoping report to the DMRE. The Applicant and/or its environmental consultant did not–
- had any meeting with the community, landowners and interested and affected parties;
 - inform the community, landowners, and interested and affected parties in sufficient detail of what the mining operation will entail on the land, in order for them to assess what impact the mining will have on them or on the use of their land. In fact, the mining right Application was intentionally withheld;
 - consult with the community, landowners, and interested and affected parties with a view to reaching agreement to the satisfaction of both parties in regard to the existing cultural, socio-economic or biophysical environment, as the case may be, and how potentially that will be impacted on by the proposed mining operation;
 - deal with the socio-economic environment that may be directly affected by a change in land use;

- provide a complete description of the existing status of the biophysical environment that will be affected, including the main aspects such as water resources, flora, fauna, air, soil, topography etc., supported by specialist reports;
 - confirm that the community and identified interested and affected parties have been consulted and that they agree that the potential impacts identified include those identified by them;
 - provide a list of potential impacts on the socio- economic conditions of any person on any adjacent or non-adjacent property who may be affected by the proposed mining operation.
 - provide any description of potential cumulative impacts that the proposed mining operation may contribute to considering other identified land uses which may have potential environmental linkages to the land concerned, for instance the existing farming activities, investments made and future expansion investments
 - provide a list of any land developments identified by the community or interested and affected parties that are in progress and which may be affected by the proposed mining operation.
 - provide a list of any proposals made in the consultation process to adjust the operational plans of the mine to accommodate the needs of the community, landowners and interested and affected parties.
 - describe the most appropriate procedure to plan and develop the proposed mining operation with due consideration of the issues raised in the consultation process.
83. The Objectors have also been informed that up to the date of the filing of this objection, the Applicant failed to identify and consult with representatives of the !Aman // Aes Traditional authority (Previously known as Amaquas of the West Coast). According to this traditional authority the mine Application area is part of its ancestral lands and are therefore of huge significance to them and needs to be protected.
84. In 35 instances the Applicant, rather than providing material information, stated that the matter would be discussed, included, incorporated or presented in the DEIAR. Objectors therefore have to wait until the DEIAR is submitted and would then only have 30 days

to peruse same and respond to it as opposed to the 6 months the Applicant requires to compile such reports.

85. Reference was already made to the questionable statements by the Applicant that it is the holder of a valid prospecting right and that the outcome of the prospecting justified the mining right Application.
86. The Applicant refers to a number of required reports, but none has been made available for scrutiny. It is assumed that they should be made available during the environmental assessment phase leaving Objectors with only 30 days to study and comment on at least 11 identified specialist reports.
87. On what basis was Site Alternative 1 identified by the Applicant as the preferred site, in the absence of any prospecting results?
88. No details regarding the alleged Saldanha Bay “metallurgical plant” where further beneficiation of the tungsten concentrate would take place, were provided. Details are required regarding the name of the plant, its owners and its technical ability in the field, or will the raw mineral simply be exported to China?
89. It is recorded by the Applicant that tungsten is considered to be a strategic metal by China and the European Union. No evidence was however provided of the mineral’s importance in a South African context. At this stage the perception is that the mineral would only be of strategic importance to especially China. Would China also be involved in the intended mining operations, using Chinese resources and manpower?
90. Mention has been made of an explosives magazine. No details were however provided, especially safety measures.
91. The Applicant states that topsoil will be removed prior to mining activities and stored. No details were given on how it will be stored and still be usable and available after the lifespan of the mine when rehabilitation must take place. This undertaking is not realisable.
92. It is recorded by the Applicant that the aerial extent of the mining activity would be 531.4405 Ha. The extent of the 3 directly affected properties added together is however 768 Ha. No information was provided on what would happen on the remainder of 237 Ha?

93. No explanation was given why the opencast mining on the shallowest region of the ore body would be reduced from 220 m to 170 m when compared to the 2019 MR Application.
94. Similarly the Applicant states that no less than 254 Ha of the 531 Ha mining right area will be altered/transformed by its proposed mining operations as opposed to the 350 Ha mentioned in the 2019 MR Application. The total life of the mine now is expected to be 15 years (in 2019 the expected lifespan was 21 years) and 11 years from start of production (15 years in 2019) but the mining right will be valid for 30 years. Notwithstanding the random changes in time periods, the fact remain that high fertile potential and unique agricultural land will be transformed into a mine and in the process also alter the provision of water that will irreversibly impact upon groundwater resources.
95. It was indicated that the Applicant will provide employment to 139 employees, including management. This is 72 less employees than the 211 employees in 2019's Application. In contrast, the Objectors provide work to approximately 700 employees (the final figure will be confirmed in the DEIAR objection). It is clear that the Applicant regards the rights and expectations of 700 employees to be subservient to its objectives and, in the process disregards the devastating consequences the Objectors' and other landowners' employees will have to face if farming operations are to shut down or be limited because of the mining activities. This figure does not include the extended families that would also be detrimentally affected.
96. In support of information regarding the environmental attributes associated with the mining area, the Applicant relies upon information contained in undisclosed specialist reports compiled in 2009 as part of its prospecting right Application. It is the Objectors' contention that Applicant has failed to provide any justification that these 14-year old reports are still relevant and authoritative.
97. By the Applicant's EAP's own admission the DFFE screening report highlighted 3 very high environmental sensitivities, 2 high, 1 medium and only two low sensitivities (archaeological and palaeontology). Despite this the EAP from an environmental perspective, is satisfied that the Applicant proceeds.
98. The Applicant still need to conduct further studies, yet it states that it would be able to produce up to 1,500,000 tonnes ore per year. It stated that it anticipates to produce 12 tonnes of concentrate per day that must be transported to the plant in Saldanha. This means that only 4,380 tonnes of concentrate will be produced annually. This is 0.3% of

the total production of ore produced annually. Over the duration of the mine it would produce only 65,700 tonne of concentrate, but will remove 22,500,000 tonnes of ore. Of the total amount of ore produced over the mine's lifespan, it would produce only 0.3% concentrate. The Objectors would not believe for a moment that it would be feasible.

99. The Applicant attempted to justify the need and desirability of the mining activity. This discussion is totally inadequate since it only refers to –
- tungsten being considered a strategic material by China and the European Union and then a description of the importance of the metal;
 - the questionable prospecting activities by the Applicant justifying the need for a mining right Application;
 - the probable employment opportunities and a general comment regarding contributions to the local economy.
100. The Applicant is therefore referred to the NEMA: Guideline on Need and Desirability (Guideline 9) – GenN 891 in GG 38108 of 20 October 2014. The Applicant would find this extremely helpful in respect of conducting a proper assessment of the need and desirability of its intended mining operations. Especially in the context of the proposed location of the mine and the effects on the entire area.
101. The Applicant confirms that a social and labour plan was submitted as part of the mining right Application. No details are provided in respect of this plan other than stating that it would be dealt with in detail in the draft environmental impact assessment report. This despite the fact that the Applicant was obliged to address the socio-economic environment that may be directly affected by a change in land use in the scoping report. As a result, the Objectors have no information in this regard neither can it provide any comments.
102. In the 2019 DSR the Applicant listed the specialists that would do the investigations and submit specialist report. In this DSR no specialists were however identified.
103. The Applicant stated that it would employ 139 employees of which the majority would come from the local community. It is prepared to let 700 employees lose their jobs and income and then as a consolation would employ 139 from the community. This does not make any sense at all.
104. The Applicant makes the statement that its mine, if it is successful, would introduce SA to the global tungsten market and contribute to the country's GDP. It also does not

provide any evidence that the export of an estimated 4,000 tonnes of concentrate per year, would contribute to the GDP. The Applicant also does not compare its contribution to the GDP with the losses to the GDP as a result of the anticipated decline in agricultural activities in the area. In fact, the Applicant clearly has no idea of what the area's current contribution to the country's GDP is.

105. When the mining right is granted, the Applicant intends to relocate the affected land owners and their employees that are not fortunate to be one of the 139 to be employed at the mine. As reasons for this drastic proposal, it was recorded that –
- (i) The presence of the mineral dictates the position of the proposed opencast pit and moving it is impossible;
 - (ii) The mine will operate 24/7 and it is highly unlikely that residents would prefer staying in close proximity of the mine.

The Applicant clearly feels nothing for the persons that would be required to vacate their properties so that it can mine for 11-15 years.

It gives no indication of what the cost of relocation would be and where all the persons and their families would be relocated to. The Objectors could not find any draft proposals in this regard. The Applicant also failed to indicate whether the relocated persons would be able to return and to what they would return – to a water storage dam?

106. It is submitted by the Applicant that the preliminary list of mitigation measures proposed in the DSR is realistic and could be implemented. The Objectors could find no evidence of such realistic mitigation measures. It is also clear that the EAP wishes to rely upon the specialist reports that must still be done.
107. The Applicant does not have the faintest idea of what it would cost to rehabilitate the 531 Ha mining area. Despite this it boasts that it would lodge a sufficient financial guarantee with the DMRE. The Applicant is to record what its guarantee would be and how it is determined.
108. The Applicant makes a big issue of the fact that it, in the past, could not get access to the affected properties to do its specialist investigations. Apart from written requests no evidence exists of the Applicant being prepared to discuss it with the owners or to ask them for access. Applying for a mining right does not entitle the Applicant to enter another person's property. It remains good manners to ask for access after explaining the reasons for and the purpose of the access.

109. The Applicant has not shown what the relevance is of the fact that the area falls in Ward 5 of the local municipality.
110. The Affected Properties fall within the boundaries of the Moutonshoek Protected Environment. This is in terms of a statutory proclamation to that effect. This could be established from desktop studies. Why then does the Applicant wish to do site assessments and focussed investigations?
111. The Applicant acknowledges the presence of two types of aquifers in the area. Despite this it wishes to proceed with mining operations of 170 m into these aquifers, detrimentally affecting the yielding of large volumes of groundwater that is primarily used for farming activities for longer than a century.
112. Mention is made of noise ambiance in the area that predominantly exists of sounds from farming activities. The Applicant in its entire DSR deliberately kept silent on the impacts of blasting that will occur on a daily basis. Blasting that is required to dislodge more than 1,500,000 tonnes of ore per year.
113. It is admitted by the Applicant that the mining footprint would extend over aquatic and terrestrial critical biodiversity Areas 1. The negative impacts over these areas cannot be mitigated and the damages would be irreversible. Despite this, Greenmined supports its client's actions to do this.
114. It is argued by the Applicant that the vegetation in the area has been transformed by potato and rooibos cultivation. This is regarded by the Applicant as putting undue pressure on the habitat. It would appear that the impacts of mining from which only the Applicant or its masters would benefit, are preferred over the production of foodstuff referred to.
115. It is clear that the Applicant and its EAP do not have any idea of the work done by the Landmark Foundation in the area, especially regarding conservation and tourism. It will serve a useful purpose if the EAP takes note of the fact that the Moutonshoek area is core to leopard conservation and this last free-roaming top carnivores' habitat and ecological role in the area. What will the Applicant do to prevent any detrimental impacts to these animals?. The same would apply to the objectives and activities of Cape Flora SA, the Cape Leopard Trust and various other conservationists.

116. The Applicant is again asked what is the relevance of the fact that Moutonshoek finds itself in the politically demarcated Ward 5 of Piketberg? Does the Applicant have any statistics of the contributions of the farmers in Ward 5 to the ward's economy? Is it the Applicant's contention that it would equal or surpass the contributions by the properties, including employment opportunities?
117. It is a fact that 28,361 employed persons contribute to the municipality's economy of R11.03 billion. Would the mining activities be able to contribute more, especially with the apparent decline in agriculture's contribution as a result of the intended mining activities. Would the economy be able to afford a decline in the agriculture sector's 25% contribution to the economy of the municipality?
118. Similarly, the agricultural sector contributed more than 50% of the total employment. Would the mine's workforce of 139 employees be able to compensate for any decline in the agricultural workforce because of the mine?
119. Would it be the contention of the Applicant that it would simply latch onto the basic services supplied by the municipality to the Moutonshoek area? It would serve a useful purpose if the Applicant investigates whether any services are indeed provided by the municipality in the area.
120. When the Applicant refers to insufficient storm water channels in Piketberg and Porterville affecting the previous disadvantaged areas that must be attended to, must the Objectors understand from this that the intended mine would improve the conditions referred to?
121. The Applicant records that the current land use of the affected properties currently includes export fruit production, grazing, wheat production, potato farming, horse breeding, livestock, tourism and conservation of identified natural areas. Despite this accurate summary, it remains the Applicant's objective to replace the current land uses with mining.
122. The Applicant on numerous occasions refers to SRK Consulting's 2018 Technical review of the Riviera Tungsten Deposit, yet no copy of this review was provided to the public to peruse.
123. The Applicant acknowledges that the proposed mining area "*falls within the highly sensitive and water stressed Verlorenvlei catchment that supports at least 177 bird species including Red Data Book species.*" It is also confirmed that the area is of Very

High aquatic biodiversity sensitivity. It is therefore inexplicable that the Applicant wants to circumvent its own admissions by appointing a hydrologist to undertake a comprehensive impact assessment of the study area. Does the Applicant believe that its hydrologist would be able to change the very high aquatic biodiversity sensitivity so that mining operations can take place?

124. The Applicant contends that the Application to mine in the protected environment rests with the DMRE “minister and cabinet member(?)” to decide on, “upon receipt of all supporting documentation.” Would this mean that the Applicant will provide supporting documentation for a decision to mine in a protected area? If so, the Objectors request that such documentation be provided to them and also the Applicant’s Application to the DMRE minister and cabinet member to authorise mining in the protected environment. This is an Application separate from the mining right Application. Logic would dictate that the ministers’ decision in this regard should be a prerequisite before a mining right Application is even to be considered.
125. Although a draft social and labour plan was submitted as part of the DSR it is evident that it is not worth the paper it was printed on. The Applicant stated that it would be discussed in detail in the DEIAR. Once again it is clear that the DSR was merely submitted to go through the motions and the DEIAR would be the substantive submission. This constitutes a complete disregard of the requirements under the applicable legislation.
126. The Applicant guesses that its 139 employees would support 485 dependents. Does the Applicant know that, based upon its arguments, the employment of 700 employees on the affected properties will be at risk due to the mining operations and that could affect 2,442 dependents.
127. On page 80 of the DSR (repeated on page 93-95) the Applicant lists no less than 49 impacts on the receiving environment as a result of the mining operations. Of these only 5 are regarded as positive impacts and include the unlikely “return of the rehabilitated area to agricultural land use.” There are 20 “High” rated negative impacts. Both cumulative negative impacts are rated as “High”. It is not understood how these highly negative impacts could be ignored and a mining right granted.
128. As for the methodology used in determining the significance of environmental impacts there are no identified impacts that were identified through the consultation process. The Applicant, hopefully, will deal with the environmental impacts in its DEIAR. It is not

understood how the environmental significance is determined by the overall consequence multiplied by the overall likelihood. The Applicant by its own admission does not have any reliable evidence to determine the overall consequences and likelihoods.

129. Regarding the possible mitigation measures, the Applicant could not provide any evidence by reputable specialists in support of its contentions on page 95 – 102. A few of these proposed measures need mentioning-

129.1. Regarding the potential relocation of farm owners and residents it is suggested that negotiations between the Applicant and landowners must continue working towards a mutually amicable solution. There are no negotiations that must “continue”. There cannot be any question of amicable solutions if the Applicant intends to uproot and relocate families that have been living on the properties for decades. The Applicant seeks to use the mining right Application to expropriate land without compensation and has the audacity to think that people relocated would be content to return to their irreparably damaged environment after 15 – 30 years.

129.2. To think that the Applicant would mitigate dust pollution by imposing speed limits on the road is hilarious. Who will make sure that the speed limits are adhered to?

129.3. How does the Applicant intend to mitigate the visual impact of a gaping hole of 35 ha and 170 m deep?

129.4. How will the Applicant keep rescued plants alive to be replanted 15 - 30 years later?

129.5. Drilling and blasting may only take place from Mon-Fri and between 08:00 and 17:00 and this is regarded by the Applicant as an acceptable mitigation measure for the noise caused by blasting.

129.6. It is the Applicant’s intention to stockpile topsoil for at least 15 - 30 years and then use it to cover the 35 Ha excavation.

129.7. The mining operations will continue 24/7 according to the Applicant but no lights would illuminate the night-time sky. In other words, operations will take place in the dark.

- 129.8. To mitigate the potential impact upon groundwater resources, the Applicant reckons that if it takes annual water samples from the boreholes it would mitigate the impact of the mining on the valuable groundwater resources.
- 129.9. As for more detailed mitigation measures, the Objectors will have to wait for the EIA process.
130. It is not clear what inputs the Applicant expects the Objectors to provide after perusing the generic pro forma DSR in which it is constantly recorded that certain matters will only be addressed in the DEIAR. It must be recorded that any failure by the Objectors to provide inputs based on the DSR will not mean that they did not wish to provide inputs.
131. In addition to the description of the aspects to be assessed by the Applicant's specialists, the Objectors submit that the following should also be attended to as part of the DEIAR
- 131.1. the Applicant must provide information of how many employees may lose their employment on the farms, both directly and adjacent to the mining site. The Applicant is obliged to consider and discuss the potential work losses that face current employees;
- 131.2. the Applicant must consider the potential loss of income when 3 working farms will be forced to shut down and also the negative impacts of the presence of the open cast pit mine and mining operations on the Objectors' agricultural activities.
- 131.3. the Applicant gave no indication of the volume of water that would be stored in the mine pit cum water storage dam post mining, where would the water come from and if the water stored would be fit for human, animal or irrigation purposes. Potential Acid mine drainage (AMD) would render any water stored in the pit to be unfit for whatever purpose. The Objectors could find no specialist report addressing this issue.
- 131.4. Potential use of the slimes dam for water storage or aquaculture purposes- in the absence of any studies to the contrary it is the Objectors' submission that water stored in the slimes dam in all probability would be totally unfit for agricultural use. (It is recorded that the Applicant did not provide any information on the volumes of how much slimes/tailings would be stored in the slimes/tailings dam). On the contrary it is contended that any large tailings dam

shall pose a risk of spills causing massive contamination to the surrounding area.

- 131.5. Return of the rehabilitated area to agricultural land use – there is no evidence that this would be achievable. In fact, evidence worldwide exists that the degradation of the receiving environment, especially agricultural land is irreversible and permanent.
- 131.6. Relocation of affected farm owners/residents –The Applicant gives no indication of where the land owner, his family and employees will be relocated to, nor does it give any idea of the costs involved. Will the Applicant return to the land all those that have been relocated once the mining has stopped? Would the Applicant also remunerate the farm owner for loss of income and also compensate the farm employees or source alternative employment.
- 131.7. According to the Applicant *dust emissions*, amongst others, would be mitigated by water spraying. Water is a scarce and precious commodity in the area and should exclusively be utilised for farming activities. This resource will be depleted by spraying an area of 531 Ha and an 11 km gravel road 24/7 for 365 days a year as indicated by the Applicant. This measure also is not feasible.
- 131.8. Storm water and potential sedimentation of the Krom Antonies River would be mitigated through a storm water management plan. No such plan was presented to peruse and comment on.
- 131.9. Potential impact on groundwater sources and seepage from the slimes dam. No feasible mitigation measures are proposed, and everything is left to be dealt with as part of the EIA process.
- 131.10. Rehabilitation of excavated area:- the Objectors submit that the excavated area will remain as a scar on the environment. The degradation of the environment and agricultural land shall be irreversible and their simply will be no way in which the land will be rehabilitated to its primary use.
- 131.11. The description of the proposed activities in the DSR is totally inadequate for interested parties to be able to provide informed comments or to give inputs of the kind referred to by the Applicant.

- 131.12. The potential impact of Acid Mine Drainage (AMD) has not been identified as a potential impact that may have a negative impact on the receiving environment. The ore body and the associated alteration in the wall rocks contain sulphide minerals including molybdenite (MoS_2), pyrite (FeS_2), pyrrhotite (Fe_{1-x}S) and chalcopyrite (CuFeS_2).
- 131.13. The term Acid Mine Drainage (AMD) refers to a low pH, high heavy metal effluent typical from water passing through sulphide mineral contained in mines, waste dumps or tailings dumps and is most commonly associated with the production of ferrous iron and sulphuric acid through the oxidation of iron pyrite. If operations at Riviera Tungsten result in AMD it could have a significant negative impact on any natural water that is affected (e.g. ground water, rivers or wetlands).
- 131.14. In order to access the ore in the open pit or in the proposed underground pit it will be necessary to dewater the mining areas. This will require groundwater and rainwater to be pumped out of the mine. The impact of mine dewatering is an activity that has not been identified as a potential impact that may have a negative impact on the receiving environment.
- 131.15. The presence of pyrite in the slimes dam and in the wall rocks of the open pit may mean that these areas are not suitable for aquaculture or even for storing water.

OUTSTANDING INFORMATION TO BE PROVIDED BY APPLICANT

132. The Objectors submit that the following additional specialist reports and assessments are also required to provide interested and affected parties and authorities with sufficient information so that informed comments can be provided:
- 132.1. A full and correct technical description of the mining methods (open cast and underground) including detailed layout plans as well as a description of the processing method, the processing plant, storage of tailings, storage of overburden and storage of waste rock.
- 132.2. A specialist visual impact assessment based on the actual project specifications and from affected peoples residence .

- 132.3. A geotechnical study to determine the slope stability of the pit in the overburden, weathered rock and hard rock as well as a description of bench heights, bench slopes and the estimated volume of overburden and waste rock that will be removed and stockpiled.
- 132.4. A geochemical study by an environmental geochemist to characterise the AMD potential of the ore, wall rocks and tailings and an assessment of the significance of the impact of AMD on the receiving environment.
- 132.5. A stormwater management plan and associated infrastructure (cut off drains, silt retention ponds etc.) to be prepared by a qualified engineer.
- 132.6. An assessment of the impact of the dewatering of the mine must be included in the terms of reference for the proposed Hydrogeological Assessment and Freshwater Ecological Assessment.
- 132.7. A detailed plan of the envisaged tailings/slimes dam that has been designed and signed off by a professional engineer, with specifications designed and built to meet or exceed the highest international safety standards.
- 132.8. To assist I&AP's to comment and assess the project, the following information is also required:
 - (i) the size, shape and location of the excavation based on prospecting information and mining methods to be used;
 - (ii) the size, location, slope and height of the slimes dam and overburden dump;
 - (iii) the predicted volume of the slimes that will be produced based on the prospecting information;
 - (iv) the chemistry of the ore and resultant tailings based on the prospecting information;
 - (v) the predicted structure of the slimes;
 - (vi) the chemistry and structure of overburden;

- (vii) the volume of water to be used by the plant, people and dust suppression and the proposed source thereof;
- (viii) the volume and quality of water that will be released into the environment;
- (ix) details regarding the volume and type and concentration of each chemical used and released by all the different processes in the plant;
- (x) the electricity demand of the total project;
- (xi) the depth, volume of overburden based upon the prospecting information;
- (xii) the volume of all other wastes that may be produced;
- (xiii) volume and method of fuel storage;
- (xiv) details regarding the predicted noise and dust emissions from the crushing plant and mining;
- (xv) the location and size of housing and offices of all the employees;
- (xvi) the design of a sewage plant with a capacity for all staff members;
- (xvii) all internal roads, conveyers or pipelines routes;
- (xviii) the predicted volume and weight of traffic out of and onto the valley;
- (xix) maps drawn up by a surveyor and with a scale suitable to define impacts, must indicate the size and location and slopes of the excavation, dumps and infrastructure and be used to describe the mining phases, explain proposed mitigation measures and allow the monitoring of compliance;
- (xx) specific "prospecting information" that indicates the depth and properties of the soil, overburden and ore layers. The grades of the products and chemistry of the ore as well as clarity on the volumes and composition of the tailings;
- (xxi) A Socio-Economic Impact assessment (in addition to a social and labour plan) to determine and compare the feasibility of the proposed mine with that of the existing land use; and

(xxii) All risks, impacts and costs on current land-use namely agriculture and others, schools, crèches, training, housing, land values, jobs, lifestyle, quality of life, soils, projects, road infrastructure, current water users and electricity supply, and other industries such as agriculture and tourism.

- 132.9. The hydrological study must be conducted over at least a dry and this current wet cycle. The hydrological study must investigate the effect of dewatering and mining activity at this particular site and water uses and to water users lower down the catchment, especially during the predicted future dry seasons.
- 132.10. The slimes dam may add a significant risk of siltation of the river and estuary and a report must address the risk of siltation of the Krom Antonies River by the mining and dumps and mitigation and monitoring measures, comprehensively.
- 132.11. Baseline noise and dust measurements and predicted noise and dust emissions from the plant, mill and other mining activities. As well as an assessment of how the current land use in the valley may be affected.
- 132.12. An assessment of the impact on soils and land capability and also assess the impact of dust, water loss and water quality as well as on the soils on agriculture production.
- 132.13. A mine plan drawn up by a qualified surveyor, based on the prospecting information and with a scale suitable to define impacts, , describing the mining phases in more detail, propose mitigation measures and monitor compliance. The maps and information provided in the report must be of a suitable scale to make assessment of the impacts impossible. Include a mine and rehabilitation plan that indicates the different phases of mining activities based on the actual figures.
- 132.14. An assessment by an experienced conservation psychologist dealing with the mining as another form of alienation. A robbery. Mining such as the Applicant's intended mine, is integral to capitalist modes of being. Capitalism reaffirms itself through mining. Capitalism devalues and exploits the more than human world through language, by deeming life an economic object and a commodity for constructing its identity – Shapiro J and McNeish JA (2021) "*Our extractive age:*

expressions of violence and resistance” Specific attention to be paid to the Moutonshoek community’s intangible cultural and social fabric, including their connection/roots to the land, their traditions and their identity as people – Barnwell G (2022). “*Psychological Report: everything for dust: the collective trauma of opencast coal mining on residents in Somkhele, KwaZulu-Natal.*” The Applicant clearly has no problem to put its own capitalism over the rights and interests of all Objectors and other residents.

133. The Applicant acknowledged that the information provided in the DSR is totally insufficient by stating that:-

- Various alternatives (project, technology, design etc.) will be considered during the EIA process;
- The need and desirability of the proposed activity will be discussed in detail and weighed against the no-go option of upholding the *status quo* at the study area.
- The findings, recommendations and management measure proposed in the specialist reports will be assessed during the EIA process and incorporated into the DEIAR;
- The impact of the proposed project on the physical-, biological-, and human environments will be assessed.
- Mitigation measures will be proposed to control, modify, remedy or stop the impacts associated with the proposed activity on the surrounding environment.

133. The only reasonable deduction that can be made from the aforementioned is that the Applicant has a vague idea of what it wishes to achieve. It however still has to commence with the pre-feasibility, feasibility and operational phases. It hopes to achieve this during the EIA phase. As a result, the DSR is flawed in that it does not provide the Objectors with even the basic information to consider and deliver inputs. It is not the task of the Objectors to do the Applicant’s work. It is the Applicant’s responsibility to provide substantive information.

Contrary to what the Applicant thinks, this intended operation will not be “small scale” (Top of Page 100, DSR). It is a mine that apparently will 22.5 million tonnes of ore during its envisaged 15-year operations.

The DMR will need to decide whether the rights, expectations, livelihood and well-being of all residents from the origin of the Krom Antonies River right through to Elands Bay, should be subservient to the Applicant’s capitalistic wishes.

PUBLIC RESPONSE

134. The Objectors unequivocally state that this Application has received no positive response from the public and the public awareness process is still continuing.

135. It is submitted that the DMR will have no other option but to take note of the vehement and vigorous public and departmental opposition when considering the Application.

CONCLUSION

136. In light of what has been stated above, the Objectors are of the opinion that the mining right Application submitted by Bongani Minerals (Pty) Ltd should at this stage be rejected by the Department of Mineral Resources and Energy by not accepting the final scoping report.

Signed on behalf of the Objectors at Cape Town on this 3rd day of July 2023.



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PARAGRAPH 1 : LIST OF OBJECTORS

	SURNAME	NAME	FROM
1	MacDonald	Allisdair Raymund	Erf 578, Krige Street, Redelinghuys
2	Swartz Brand	Nadia Swartz Brand	
3	Abrahamse	Adian	Grootkloof Farm, Aurora
4	Adams	Clive	Eendekuil
5	Adams	Jennifer	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
6	Adams	Valentino	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
7	Agri Western cape (AWK)	Louis Wessels	Commercial agricultural producers in the Piketberg
8	Alexander	David Berel	Verlorenvlei
9	Alexander	Lucy	Vleitjes, Portion 12 (A Portion of Portion 2 of Bonteheuwel No. 1,
10	Amos	Curshwell	Pomona Farm, Piketberg
11	Amos	Joane	Pomona Farm, Piketberg
12	Amos	Justin	
13	Amos	Marius	Pomona Farm, Piketberg
14	Anderson	Michael	Paters Haven
15	Archer	Will Archer	
16	Baanzaaies	Kobus	
17	Badenhorst	Christo	Section 10 and C10, Banghoek Private Nature Reserve
18	Bailey	Basil	Erf 475, Redelinghuys
19	Bakker	Case	
20	Bakker	Jethro	Environmentalist
21	Bango	Ntombizodus	
22	Barbosa	Sandra	
23	Basson	Gert	Wilgerbosdrift
24	Basson	Geuswin	Wilgerbosdrift
25	Basson	Gregory S	Redelinghuys
26	Baty	Simon	
27	Bauer	Marion Manuela	No 8 Verlorenvlei
28	Beckman	Robert Ernst	Disa Lodge
29	Bengo	Sindiswa	
30	Bergfelt	Caleb	Aandster portion 37 of farm 1 Verlorenvlei
31	Bergfelt	Peta	Aandster portion 37 of farm 1 Verlorenvlei
32	Bester	Michiel Bester	
33	Bester	Paul Bester	
34	Beukes	Angelo	Riviera
35	Bezuidenhout	John	Namaquasfontein
36	Bhushula	Nonkwululeko	
37	Bjergfelt	Bjergfelt Kerri	
38	Bjergfelt	Cheyne	Aandster portion 37 of farm 1 Verlorenvlei
39	Blankenberg	Soretha	Pomona Farm, Piketberg

40	Bleeker	Karen	Velddrif
41	Boettger	Oliver	Erf 579, Redelinghuys
42	Boogonaarier	Luzaan	
43	Boois	Jydzian L	Redelinghuys
44	Boois	Manuel	
45	Boois	Nolin	
46	Booyesen	Anita	Riviera
47	Booyesen	Diana	
48	Booyesen	Gerrit	Riviera
49	Booyesen	Maria	
50	Botes	Jan	
51	Botha	J P	
52	Botha	Johann	Dwarskersbos
53	Botha	Nicola	
54	Botha	S	
55	Bothma	Dillen	
56	Bothma	Marelize	
57	Bothma	Pieter	
58	Boyana	Pihndile	Namaquasfontein
59	Brand	Henk	Karookop Primary School
60	Bredina	Ngola	
61	Briers	Salome Briers	
62	Brink	Anna E	
63	Brink	Pierre J	
64	Broddle	Petra Broddle	
65	Brown	Diane	BANGHOEK PRIVATE GAME RESERVE
66	Bullard	Quinton	
67	Bullpit	Gail	Wilgerbos Drift
68	Bundzango	Luviyo	Namaquasfontein
69	Burger	Anita L Burger	
70	Burger	Heather	
71	Butler	Nita	
72	Came	Cindy	
73	Came	Richard	
74	Cape Floral SA	Karien Bezuidenhout	
75	Cape Leopard Trust	Jeannie Hayward	
76	Cardoso	Feliciano	
77	Cillie	FJR	Ptn 11 of 93 Kapteinskloof
78	Cillie	Rossouw	Sebulon & Nuwerus (Laastedrif Agri)
79	Claasen	Simon	Moutonshoek
80	Claassen	Herman	
81	Clark	Storm	Hamerkop Farm
82	Coetzee	C	Riviera
83	Coetzee	Gerrit Jakobus	Keurbos Trust
84	Coetzee	Rossouw	
85	Coetzee	SW	Riviera
86	Coetzee	Coetzee Martin	
87	Coetzee Jnr	Theunis	Verlorenvlei

88	Colclough	Michael	2 Aan die Weide, Cape Town
89	Combrinch	Carl	
90	Combrinch	Kara	
91	Conrad	Julian	
92	Cqardoso	Feliciano	
93	Curran	Lindsay Curran	
94	Dashile	Mzoyolo	Namaquasfontein
95	Davids	Abei	Elands Bay
96	De Brode	Juliet	
97	De Bruin	David	167 Kerk Street, Redelinghuys
98	De Guns trust		De Gunst Farm
99	De Villiers	de Villiers Daniel	
100	De Villiers	De Villiers Chele	
101	De Vries	Johan de Vries	
102	De Water	Le-ann	Grootkloof Farm, Aurora
103	De Wet	Van Zyl	
104	De Wet	Willie	Elands Bay
105	Delmotte	Anthea	Adullan Farm - 81 Caledonian
106	Delmotte	Keana	Andulan Farm
107	Delmotte	Skye	Andulan Farm
108	Devey	Daphne Devey	
109	Diamonds	Wanita	
110	Didcott	Charles	Lot 21, Verlorenvlei Heritage Settlement, Elandsbaai
111	Didcott	Christine	Lot 21, Verlorenvlei Heritage Settlement, Elandsbaai
112	Diedericks	Naomi	Riviera
113	Diergaardt	Randall Urven	Wilgerbosdrift
114	Digges	Judith	
115	Dinar	S	
116	Dladla	Wendx	
117	Doors	Chantal	Pomona Farm, Piketberg
118	Dowling	Patrick Dowling	
119	Dreyer	Andrey Dreyer	
120	Dryer	Adriaan	
121	Du Plessis	Christiaan	Hamerkop Farm
122	Du Plessis	Irma Magdalena	Hamerkop Farm
123	Du Plooy	Du Plooy Andriesa	
124	Du Preez	Madeleine	Portion 23 (Ptn of Ptn 13) of the Farm no. 277
125	du Toit	Betina	
126	Du Toit	Oumie	
127	du Toit	Pierre J	
128	Duffield	Michael	
129	Duffield	Pamela	
130	Duffus	Duffus Annie Stange	
131	Duminy	Enver	CEO Cape Town Tourism
132	Duncan	Rob V	

133	Duncan	Robert	Pomona Farm, Piketberg
134	Duncan	Mary	Pomona Farm, Piketberg
135	Edwards	Bronwyn Edwards	
136	Ekermans	Wayne Ekermans	
137	Ellis	Morne	
138	Engelbrecht	Andre	Grootkloof Farm, Aurora
139	Engelbrecht	Joos Engelbrecht	
140	Engelbrecht	Robyn Engelbrecht	
141	Enslin	Susan	
142	Esterhuysen	Stephanie	3 Galjoen Steeg, Elands Bay
143	Fairhead	Jean	
144	Fairhead	Tyrrel	
145	Farmer	Lucinda	
146	Ferguson	Barbara	
147	Fieland	Anna Sophia	Wilgerbosdrift
148	Fieland	Jacobus	Wilgerbosdrift
149	Folscher	Jacyee	
150	Foster	Emre Foster	
151	Fourie	Adolf Christiaan	Het Kruis
152	Fourie	Brendon Gideon	Distintion Building Contractors
153	Fourie	Petrick	
154	Frampton	Marco	
155	Franse	Carl Cedric	Namaquasfontein
156	Fransman	Denzel	Valskuil
157	Fransman	Jonathan	Wilgerbosdrift
158	Fransman	Rudi	Eendekuil
159	Fredericks	Karin	Pomona Farm, Piketberg
160	Fredericks	Marthinus	!Aman // AES Traditional Authority
161	Freeman	EF	Boland Stud
162	Freeman	Eugene Frank	Thoroughbred Breeders Association
163	Freemantle	Roderick	
164	Freemantle J	Janet Freemantle	
165	Gerber	Marius	Unit 38, Banghoek Private Nature Reserve
166	Giqwa	Sipomandla	Pomona Farm, Piketberg
167	Goeieman	Simondre	Riviera
168	Goliath	Abraham	Riviera
169	Goliath	Brendon	Riviera
170	Goliath	Sunita Leandra	Riviera
171	Goliath	Veronique	Riviera
172	Goliath	Zanelle	Pomona Farm, Piketberg
173	Gomes	Carlos	
174	Gomes	Fiona	
175	Good	Julie	
176	Gordon	Dave	
177	Gqalane	Simphiwe	Namaquasfontein
178	Greeff	Andre	Erf 638, Redelinghuys
179	Greeff	Eduard	44 Waterkant Street, Porterville

180	Gresse	Franci	
181	Griffiths	Claudine Griffiths	
182	Griffiths	Patrick	
183	Grobler	Hendrik Frederik	Org de Rac
184	Grove	Ann	574 Voortrekker Street, Redelinghuys
185	Grutter	Malie	Gysekraal (Plaas 4/37 Grootplaat
186	Gwede	Asive	Namaquasfontein
187	Hallett	Nicky	452 Kerk Street, Redelinghuys
188	Hanekom	Abraham Johannes	Eenboom
189	Harrison	Karen Deidre	Indego Consulting
190	Hartse	Abey	Wilgerbosdrift
191	Hartse	Lizette	Wilgerbosdrift
192	Hastag	Nosipho	
193	Haw	Christopher	
194	Hawkins	Carla	Piketberg
195	Hawkins	Craig	Piketberg
196	Hayes	Patrick	
197	Hechter	D	
198	Hector	Antjie	
199	Hector	Ashlene	
200	Hector	Gerrit	Sebulon
201	Hector	Oscar	
202	Heering	Louis	
203	Henderson	Hilde	
204	Hendricks	Ebeth	Pomona Farm, Piketberg
205	Henning	Amelia	Verlorenvlei
206	Herrmann	Mark Herrmann	
207	Hesseling	Peter Bernard	Erf 173 Elands bay
208	Higgo	Christopher	Section 29 Banghoek Private Nature Reserve
209	Hinana	Vuyowethda	
210	Hlekani	Assandra	Moutonshoek
211	Hodgkinson	Kerri	'The Old School' Elands Bay
212	Hodgson	Rosleen	Portion 23 (Ptn of Ptn 13) of the Farm no. 277
213	Hollander	Ian	29 Duine Street, Elands Bay
214	Hollander	Ian	
215	Hollander	Teresa	
216	Hollander	Theresa	30 Duine Street, Elands Bay
217	Hopkins	Hopkins Mike	
218	Hopolang	Leteane	Pomona Farm, Piketberg
219	Hugo	Mildred	
220	Hunter	Riana Hunter	
221	Hutchings	Kennth	
222	Huyes	Petrick	
223	Huysamen	A	
224	Huysamen	Bee	
225	Hyman	Loretta	Plot 689, Redelinghuys

226	Hyman	Loretta Hyman	
227	Isaac	Nicole	
228	Jabu	Christian	Namaquasfontein
229	Jacobs	Jolien	Namaquasfontein
230	Jacobs	Joltin	
231	Jacobs	Lee-Ann	Pomona Farm, Piketberg
232	Jakobs	Jerome	Namaquasfontein
233	Jakobs	Joltin	Nuwerus
234	James	Sidney Shimane	Wilgerbosdrift
235	Jan Eeden	Francois	
236	Janse	Danie	Grootkloof Farm, Aurora
237	Jansen	Quinton	Wilgerbosdrift
238	Januarie	Chrissie	Wilgerbosdrift
239	Januarie	Denecia	Het Kruis
240	Januarie	Jonathan Jerome	Wilgerbosdrift
241	Januatie	Ashelen	
242	Javan	Avil-Lee	Pomona Farm, Piketberg
243	Jewson	Ralph	BANGHOEK PRIVATE GAME RESERVE
244	Johnson	Marlene	Moutonshoek
245	Johnson	Pieter	Namaquasfontein
246	Jones	Paul Jones	Elandsbay Guest House
247	Jones	Richard Jones	
248	Jonker	Wilmarine	Velddrif
249	Jordaan	Gert Johannes	
250	Joubert	A.J	
251	Joubert	Benedine	Riviera
252	Joubert	Cathy	Pomona Farm, Piketberg
253	Justain	Ireen	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
254	Kahn	Cara	95 Minnaar Street, Redelinghuys
255	Kahn	Cara Kahn	
256	Kahn	Kyle Otis	97 Minnaar Street, Redelinghuys
257	Kajawo	Moses	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
258	Karolus	Angeline	Riviera
259	Karolus	Henry	
260	Karolus	Ivan	Pomona Farm, Piketberg
261	Karolus	Willem Johannes	Wilgerbos Drift
262	Karools	Barendine	Riviera
263	Karoulus	Treintjie	Wilgerbosdrift
264	Karsten	Belia	
265	Karsten	Pieter	
266	Kellett	A T	Gravity Sea Kayaking
267	Kellett	Andrew	Elands Bay
268	Kellett	Marie-Louise	Elands Bay
269	Khambi	Ntobeko	Nuwerus
270	Khambi	Pheliswa Zelpha	
271	Khanyane	Motlatsi	Pomona Farm, Piketberg

272	Khuselo	Fisani	Namaquasfontein
273	Kinelo	Sheane	
274	Klaase	Armand	Riviera
275	Klaase	Delmari	
276	Klaase	Piet	Riviera
277	Klase	Andreas	Riviera
278	Klase	D	Riviera
279	Kloppers	Kloppers Jacobus	
280	Knoetser	Matthew	
281	Knoetze	Madeleine Knoetze	
282	Koegelenberg	Hein Koegelenberg	
283	Koordom	Lee-Ann	Pomona Farm, Piketberg
284	Korte	Karen Maria	Erf 483, Redelinghuys
285	Kotze	Bernadine	Grootkloof Farm, Aurora
286	Kotze	Freda Kotze	
287	Kotze	Izak Bartlomeus	De Gunst Farm
288	Kotze	Marinda	Jakkalskloof Farm
289	Kotze	Theunis Gerhardus	Grootkloof Farm, Aurora
290	Kraucamp	Johanna	
291	Krause	Dee Krause	
292	Krause	Michelle Krause	
293	Kritzinger-Klopper	Suzaan	Sebilon
294	Krohn	Colleen	86 Lang Street, Piketberg
295	Kroucamp	Abraham	Nuwerus
296	Kroucamp	Johanna	Nuwerus
297	Kruger	Roxanne	Conservationist
298	Kumpers	Josh	
299	Kushner	Brin	
300	Labuschagne	Francino	
301	Lamoor	William	Elands Bay
302	Lampbrechts	Freddie	Wittewater en De Hoek Plase
303	Landman	Riaan	
304	Landman	Susan	
305	Landmark Foundation	Dr Jeannine McManus	
306	Langkilde	Desmond	Tourism Tattler
307	Large	Derek	
308	Laubscher	Glynis Myfanwy	
309	Laubscher	Johannes	
310	Laubscher	Theuns	Minnaarshoek, Redelinghuys
311	Laurenson	Sharon Laurenson	
312	Lavern	Anath	
313	Le Roux	Leonard	Wagenpad Farm, Piketberg, located within 5km from the proposed mine
314	Lebitsa	Palesa Rose	Nuwerus
315	Leggatt	Chris	
316	Lemi	Zola	Nuwerus
317	Lenee	Roseline	Elands Bay

318	Lennard	James	Ptn 26 of Farm Bonteheuwel 1 (Uithoek)
319	Leona Smit	Johan En Leona Smit	
320	Leroux	Naas	
321	Lerouz	Naas	
322	Lethaha	Mottefeke	Pomona Farm, Piketberg
323	Levanon	Erica	STERKWATER PLOT 35/79 PIKET-BO-BERG (Sababa)
324	Levanon	Gabriel	STERKWATER PLOT 35/79 PIKET-BO-BERG (Sababa)
325	Lewies	Geraldene	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
326	Lewies	Jenico	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
327	Lilford	Lilford Nee Whitmore Sian	
328	Lindelaine Financial Enterprize CC		Jakkalskloof Farm
329	Links	Elize	
330	Links	Pierre	Valskuil
331	Lokkies	Oupa Lokkies	
332	Lombard	Tessa	Namaquasfontein
333	Losper	Anna	Goergap
334	Lottering	Lorella	Namaquasfontein
335	Loubser	Rone	Pomona Farm, Piketberg
336	Lourens	Jacques Lourens	
337	Louw	Abraham HP	Oase
338	Louw	Cobus Louw	
339	Louw	Gezie Martha	Oase
340	Louw	J A	Verlorenvlei
341	Louw	Lana	Verlorenvlei
342	Louw	Marius	
343	Louw	Marthel	Verlorenvlei
344	Louw	Ronell	
345	Louw	Rozanne	
346	Louw	Anton	Highlands Trust, Highlands ECO Estate
347	Louwrens	Elta	Dwarskersbos Farm
348	Ludick	Yolande Ludick	
349	Maanman	Chesrae	
350	Maarman	Gideon	Riviera
351	Maarman	Johanna	Riviera
352	Maarman	M	Riviera
353	Maarman	S	Riviera
354	Maarman	Sophia	Riviera
355	Maart	Jan	Pomona Farm, Piketberg
356	Mac Farlane	Wendy McFarlane	
357	Macgregor	Fiona	Erf 251 Redelinghuys
358	Macgregor	Fiona Macgregor	
359	Mackenzie	Pietie Mackenzie	
360	MacLachlan	J	

361	MacLeod	MacLeod Anni	
362	MacRobert	Jo	Verlorenvlei
363	Madikane	Keneuwe	Nuwerus
364	Maeke	Rampopi David	Namaquasfontein
365	Magas	Blossma	
366	Magesa	Mandla	Namaquasfontein
367	Makele	Yamkela	
368	Maluma	Cijanjano	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
369	Marais	Adriaan	
370	Marais	Andries Johannes	Roosmarijn Guest House
371	Marais	Beatrix Cerika	BANGHOEK PRIVATE GAME RESERVE Section C9
372	Marais -Potgieter	Dr Andrea (Conservation Psychologist)	BANGHOEK PRIVATE GAME RESERVE B22. S15.C15&C25
373	Marcus	Elvida	Pomona Farm, Piketberg
374	Maree	Kosie Maree	
375	Markus	Derek	Eendekuil
376	Markus	Iethuill	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
377	Masasphe	Matwa	Namaquasfontein
378	Masterson	Miles	
379	Matthews	Cathy	Wilgerbosdrift
380	Matthews	Lachlan	
381	Maysisela	Nomondo	Nuwerus
382	Mbasa	Nofemele	Nuwerus
383	McFarlane	Wendy	Erf 97, Redelinghuys
384	McIntosh	Imogen	Erf 141, 8 Stompneus Steeg, Elands Bay
385	Mdanisa	Justice	
386	Mdlelembe	Vakakhulu	Namaquasfontein
387	Mdlelembe	Zensile	Namaquasfontein
388	Mdleembe	Archie	Namaquasfontein
389	Meaker	Frank R	Org de Rac Wine Estate
390	Mentoor	Dafaline	Het Kruis
391	Mentoor	Melissa	Riviera
392	Merritz	Jenny	
393	Meulemans	Katrina	
394	Mgema	Zabdile	
395	Mgemngu	Lucas	Moutonshoek
396	Miggels	Sara	Redelinghuys
397	Miller	Ronald	
398	Mjola	Msindisi	Namaquasfontein
399	Mobotse	Makore Pitirose	Namaquasfontein
400	Mocke	Jaconette	
401	Mofokeng	Emily	
402	Mogapedi	Diteko L	Redelinghuys
403	Mohanoe	Albertus	Pomona Farm, Piketberg
404	Mokgchia	Bokamosa	
405	Mona	Mpendilo	Namaquasfontein

406	Mong	Hermien	
407	Monk	Andrea	Pomona Farm, Piketberg
408	Monk	Eduard	Riviera
409	Monk	Maurita	Riviera
410	Moses	Charles	Wilgerbosdrift
411	Motaoi	Nteboheleng	Nuwerus
412	Motekane	Petrose	Pomona Farm, Piketberg
413	Mouton	Amanda Mouton	
414	Mouton	Madele	Brakfontein
415	Mouton	Nicolaas Jacobus	Spaarkloof
416	Mouton Hohls	Aletta Mouton Hohls	
417	Mowatha	Neenakazi	
418	Mrwebi	Akhona	Namaquasfontein
419	Mthwesi	Wandisile	Namaquasfontein
420	Mtshemla	Sixolile	Namaquasfontein
421	Munro	Lynette	
422	Munro	Mark	
423	Murgatroyd	Dr Megan	
424	Murimi	Fortune	Pomona Farm, Piketberg
425	Mydi	Geba	
426	Mzuweni	Lucianomacesane	
427	Ndike	Charmaine	
428	Nel	Johanna E	Wilgerbosdrift
429	Nel	Wynand	Wilgerbosdrift
430	Nel	Nel Johan	
431	Nero	Curtley	
432	NGCaba	Nosipho	
433	Ngemtu	Aletta	Namaquasfontein
434	Niemand	Hennie	Erf 638, Redelinghuys
435	Nodade	N	
436	Nofemele	Sisanda	Nuwerus
437	Nogenge	Funeka	Elands Bay
438	Ntunze	Siphosenkosi	Namaquasfontein
439	Nyeka	Thabisa	
440	Ockhuis	Jaco	Namaquasfontein
441	Ockhuis	Nicolaas	Namaquasfontein
442	October	A	Riviera
443	October	Carel	Riviera
444	Oebisa	Nosakhele	
445	Oktober	Elzette	Riviera
446	Oktober	Jacob	Riviera
447	Oktober	Magriet	Riviera
448	Oosthuizen	Jacobus J	Section 28 Banghoek Private Nature Reserve
449	Oosthuizen	Michael	Elands Bay
450	Oosthuizen	Oosthuizen Ane	
451	Oosthuyzen	Chris	
452	Opperman	Mariehta	Namaquasfontein
453	O'Shaughnessy	Liz	

454	Otto	Otto Anita	
455	Paine	Hugh	47 Voortrekker Street, Redelinghuys
456	Pas Neves	Victore	
457	Pastoor	Andre	Namaquasfontein
458	Paulse	Karools	Namaquasfontein
459	Pearson	Pearson Garth	
460	Pedro	Lydia	
461	Penn	Pr Nigel	
462	Phike	Mandla	Namaquasfontein
463	Phillips	Daniel	Section 34, Banghoek Private Nature Reserve
464	Pieters	Dana	Riviera
465	Pieters	Delizia	Riviera
466	Pieters	Jan	Riviera
467	Pieters	Pieters Liza	
468	Pieters	Sophia	Riviera
469	Pietesen	Esmeralda	Pomona Farm, Piketberg
470	Plaatjies	Annika	Riviera
471	Platt	Alexander	Unit 5 Tudor Mansions, 6 Leeuwenvoet Road, CT
472	Poggenpoel	Marc	Grootkloof Farm, Aurora
473	Potgieter	Brendon	
474	Potgieter	Erwin	BANGHOEK PRIVATE GAME RESERVE B22. S15.C15&C25
475	Potgieter	Hester Helena	Verlorenvlei
476	Potgieter	Roerick	
477	Potsone	Zodwa	Elands Bay
478	Preece	Sue Preece	
479	Pretorious	Isabel	
480	Priestley	Priestley Dorothea	
481	Prinsloo	Sandra	Verlorenvlei
482	Prinsloo	Sandra	Verlorenvlei Farm
483	Protheroe	Myles	2 Kreef Circle, Elands bay
484	Pruter	Hans	
485	Pruter	Sonja	
486	Pulfrich	Andrea	
487	Rabela	Andiswa	
488	Raphael	Martie	S35, Banghoek Private Game Reserve
489	Rapheal	Philip Robin Ian	S35, Banghoek Private Game Reserve
490	Rebisa	Nosakhele	
491	Renosi	Warwick	Bush Hill Stud
492	Rhodes	Cameron	Pomona Farm, Piketberg
493	Riedeman	Renate	6 Keerom Street, Elands Bay,
494	Roberts	Alistair	
495	Roos	Danie	
496	Roos	Stephan	
497	Roux	Kyle	Klein Plasie & De Werf Estates, Redelinghuys

498	Rowe	Nicola	8 Greenways Drive, Kommetjie
499	Saayman	Charl	Plot C18, Banghoeke Private Nature Reserve
500	Saayman	Deonezia	Plot C18, Banghoeke Private Nature Reserve
501	Sabbat	Mecala	Wilgerbosdrift
502	Sabbat	Warren Rodney	Wilgerbosdrift
503	Sadie	Christiaan	Erf 227, De Villiers Street, Redelinghuys
504	Sakati	J	Wilgerbosdrift
505	Saliwe	Mamusa	Pomona Farm, Piketberg
506	Sanis	Mgaiysa	
507	Saroon	Maria Magdalena	Namaquasfontein
508	Schaffers	Paulene	
509	Schmidlin	Sonja	
510	Schnetler	AR	
511	Schnetler	Carel	Verlorenvlei Heritage Settlement
512	Schoeman	Herma	Eendekuil
513	Schoeman	Herma	
514	Scholtz	M	Riviera
515	Scott	Deon Scott	
516	Seager	Natalie	Aandster portion 37 of farm 1 Verlorenvlei
517	September	Maureen	Riviera
518	September	Monique	Riviera
519	Sevenster	Frederick	588 Smit Street, Redelinghuys
520	Seymour	Susan	4 Kreef Circle, Elands Bay
521	Shardlow	Vicky	Erf 718, Redelinghuys
522	Shaw	Pam	
523	Sheard	Ben	
524	Sheard	Ben	Erven 3, 4 and 409, Redelinghuys
525	Sheard	Elizabeth	Erven 3, 4 & 409, Redelinghuys
526	Sheard	Garry	
527	Sheard	Liz	
528	Sheard	Martin	
529	Sheard	Gary	Erven 3, 4 & 409, Redelinghuys
530	Shelton	Jeremy	
531	Sias	Willem Johannes	Wilgerbos Drift
532	Siebrits	Monray Siebrits	
533	Sinclair	Ena Sinclair	
534	Siphezi	Sivuile	Nuwerus
535	Siyabulela	Miya	
536	Siyabulela	Mtya	Nuwerus
537	Skirmaans	Karel	Namaquasfontein
538	Smit	Adriaan Louw	Riviera
539	Smit	Anna	Riviera
540	Smit	CE	
541	Smit	Damon	Riviera
542	Smit	Gerald	Riviera
543	Smit	Gert	Riviera
544	Smit	Hanna	Riviera
545	Smit	Hendrik Petrus	Riviera

546	Smit	Jacobus	Gedeelte 2 van Wilgenhoutdrift 48
547	Smit	Jacobus	Karookop (Wilgenhoutdrift 48/2)
548	Smit	JJ	Riviera
549	Smit	JJ	Krom Antonies Water Users Association
550	Smit	Johanna	Riviera
551	Smit	Louise-Mari	Riviera
552	Smit	Marchel	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
553	Smit	Petronella	Riviera
554	Smit	Risda	Riviera
555	Smit	W	Riviera
556	Smit	Wendy Janet	Namaquasfontein
557	Smit	Zanelle	Verlorenvlei Smit Boerdery
558	Smit	Zanelle Smit	
559	Smith	Albertus	Verlorenvlei
560	Smith	Elizabeth Brenda	Uithoek Farm
561	Smith	Elton	Verlorenvlei
562	Smith	Lorettu	Verlorenvlei
563	Snaddon	Andrew John (Chip)	27 Nerina Ave, Kommetjie
564	Snelling	Chris	
565	Snith	Andreas	Grootkloof Farm, Aurora
566	Snyers	Angeline	Redelinghuys
567	Sonamzi	Lizeka	96 Minnaar Street, Redelinghuys
568	Songewa	Busisiwe	
569	Sorrell	Jennifer	
570	Spandel	Henco	
571	Springfeld	Gerrit	Riviera
572	Springfield	Barend	Namaquasfontein
573	Springfield	Ivan	Riviera
574	Springveld	Griet	Riviera
575	Springveld	Senobia	Riviera
576	Stafel	Catherina	
577	Stafel	Willem	Nuwerus
578	Stander	Ivan	
579	Stander	Jeresa	
580	Stander	Ruwón	
581	Starke	Michele	Moutonsvalley Farm
582	Starke	Rebecca	Stawelklip Farm
583	Stephan	Stephanus	Stephan & Seun Boerdery
584	Steyn	H F	
585	Steyn	Joubert	Erf 173 Elands bay
586	Steyn	Liza	West Coast Paints
587	Stockenstorm	Juriaan Stockenstorm	
588	Stohr	Hubertus Stohr	
589	Stohr	Ubi	Tour operator
590	Storey	Frances	
591	Storm	David	Namaquasfontein
592	Strange	Felicity	

593	Strange	Felicity	Erf 22 Verlorenvlei Heritage Settlement, VERLORENVLEI, Elands Bay
594	Strohfeldt	Felicity	
595	Summers	Marlene Summers	
596	Suries	Caroline	
597	Suter	James	
598	Sutherland	Hettie	Erf 748, Elands Bay
599	Swanepoel	G W	
600	Swanepoel	Loudeac	Namaquasfontein
601	Swanepoel	Randall	Von Litsenborgh
602	Swart	Maria	Riviera
603	Swarts	Andreas	Namaquasfontein
604	Swarts	Andries	Namaquasfontein
605	Swarts	Barendine	Riviera
606	Swarts	Elroy	
607	Swarts	Gerald	Namaquasfontein
608	Swarts	Jan	Riviera
609	Swarts	Maria	Riviera
610	Swarts	Sophia	Riviera
611	Swingburn	Devon	
612	Syster	Magrieta	Riviera
613	Talmalkies	Ricardo	Elands Bay
614	Tayi	Sandisile	Elands Bay
615	Taylor	Dina	
616	Taylor	Elwida	Elands Bay
617	Taylor	Gert	Elands Bay
618	Taylor	Lauren	Elands Bay
619	Taylor	Nick	
620	Taylor	Pia Taylor	
621	Taylor	Thozeme	
622	Ten Hoorn Boer	Hendrik	
623	Them bani	Nkolongwane	
624	Thiel	Colleen	Erf 638, Redelinghuys
625	Thomson	David	
626	Tieties	Johan	Wilgerbosdrift
627	Toentjes	Niklaas	Riviera
628	Treadaway	Martin	St Helena Bay
629	Tseole	Moeketsi	Pomona Farm, Piketberg
630	Tshohemi	Elvis	Namaquasfontein
631	Uithoek Farm	Uithoek Farm	
632	Uiti	Nomalarsa	Nuwerus
633	Uys	Taylor	
634	Van Aswegen	Eldon	
635	Van den Berg	W	Riviera
636	Van Den Bos	David	
637	Van der Merwe	Bennie	Namaquasfontein Boerdery Trust, Moutonshoek (Pty)Ltd, Verlorenvlei Coalition etc

638	Van der Merwe	Christa	Section 10 and C10, Banghoek Private Nature Reserve
639	Van der Merwe	Jacqui	Namaquasfontein Boerdery Trust, Moutonshoek (Pty)Ltd, Verlorenvlei Coalition etc
640	Van Der Merwe	Johan Van Der Merwe	
641	Van der Valk	Matthew	C41 Banghoek Private Nature reserve (SS379/193 section 33)
642	Van der Velde	Dr Mark	
643	Van Der Walt	Maryna	
644	Van Der Westhuizen	Monique	
645	Van Der Westhuizen	Sandra	
646	Van Dyk	Zelda	
647	Van Eeden	Francois	
648	Van Jaarsveld	Elna Van Jaarsveld	
649	Van Niekerk	Chris	Velddrif Chamber of Commerce
650	Van Niekerk	Jan Johannes Christoffel	Oude Muur
651	Van Rooyen	Derine	Namaquasfontein
652	Van Rooyen	Malcolm	Pomona Farm, Piketberg
653	Van Rooyen	Natasha	Pomona Farm, Piketberg
654	Van Schalkwyk	Marina	Verlorenvlei
655	Van Tonder	Tian	
656	Van Wyk	IJ	Riviera
657	van Wyk	Jerome	
658	Van Wyk	Marie	Verlorenvlei
659	Van Wyk	Moreeda	Riviera
660	Van Wyk	Teshwin	
661	Van Zyl	Johan Abraham	Piekenierskloof Vrugte
662	Van Zyl	Tommy H van Zyl	
663	Venter	Adri	
664	Venter	Marais	
665	Venter	Venter Peet	
666	Vercuiet	Warren	
667	Vermeulen	Elmarie	Von Litsenborgh
668	Vermeulen	Nico	Velddrif
669	Vermeulen	Willene	Velddrif
670	Visser	Coen	Von Litsenborgh
671	Visser	Minette	
672	Vlok	Frans	Valskuil
673	Vlok	Monique	Valskuil
674	Von Litsenborgh	Francois	Von Litsenborgh
675	Voorbui	Raymond	Pomona Farm, Piketberg
676	Vorster	Ben	Zebraskop
677	Vyfer	Hester	
678	Vyver	Annushka	
679	Watson	Andrew	
680	Watson	Simeon	Verlorenvlei
681	Watts	Leonard	

682	Webster	Desiree	Portion 23 (Ptn of Ptn 13) of the Farm no. 277
683	Weideman	Salome	Verlorenvlei Heritage Settlement
684	Weiss	Rachel	
685	Welgemoed	Charles	
686	Wentzel	Liselle	erf 4418, Suiderbekkiestraat 12
687	Wentzel	Rienie	Andulan Farm
688	Wharton	Charlotte	Aandster portion 37 of farm 1 Verlorenvlei
689	White	Grenville	167 Kerk Street, Redelinghuys
690	White	Johanna	
691	Whiteman	Hendrik CF	
692	Whittaker	Richard Whittaker	
693	Wildlife and Environment Society: Western Cape Region (WESSA:WC	Dowling Patrick Chair	
694	Wilken	Louise Wilken	
695	Wilkens	HJ	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
696	Wilkens	Johan	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
697	Wilkens	Marian	
698	Wilkens	Marian	Ptn 16 of Farm 93, Wittewater, Kapteinskloof
699	Willemse	Haroline	Grootkloof Farm, Aurora
700	Willemse	Jerome	Riviera
701	Willemse	M	Riviera
702	Williams	Bernard	Pomona Farm, Piketberg
703	Williams	Frances	Erf no 723 Voortrekker Street, Redelinghuys
704	Williams	Graeme	Erf no 723 Voortrekker Street, Redelinghuys
705	Wilshire	Robert Ernst	Wilgerbosdrift
706	Wilson	Melanie	Kapteinskloof Guest House
707	Wilson	William	Kapteinskloof Guest House
708	Winder	A T	
709	Winfield	Melinda	
710	Winfield	Mike Winfield	
711	Winter	Michael Francis	Geologist, Durbanville
712	Wise	Adrian	
713	Witbooi	Gert	Von Litsenborgh
714	Witbooi	Linford Leroi	Het Kruis
715	Witbooi	Tracey	Pomona Farm, Piketberg
716	Wollaston	Derek	Verlorenvlei
717	Wyche	Megan	7 Herron Close, Riebeeck Kasteel
718	Yalwa	Collen	Namaquasfontein
719	Yeld	John	
720	Young	Izette	
721	Zeni	John	
722	Zimmerman	Sara and Kent	Section 4 Banghoek Private Game Reserve
723	Zuanni	Debby	
724	Zuanni	Hugo	1 Strand Street, Elands bay
725	Gardner	Clark	Section 32 Banghoek Private Game Reserve

726	Smit	Roderick	Stoneberg, Kleigat
727	Ansorge	Christian	Section 24 Banghoek Private Game Reserve
728	Body Corporate Banghoek SS	Dr Rachel Weiss	
729	Managing Authority, Banghoek Private Nature reserve	Dr Rachel Weiss	
730	Weiss	Dr Rachel	Section 20 Banghoek Private Game Reserve
731	Langton	Peter	Eagles Pride Farm
732	Laurenson	Sharon	
733	Laurenson	Devon	

3.

**COMMENTS RECEIVED FROM LEE MARINAKI -
INTERESTED AND AFFECTED PARTY**

Marlene van den Berg

From: Lee M <kghotsi@googlemail.com>
Sent: Monday, 03 July 2023 17:04
To: Greenmined Comments
Cc: crisiscare.rachel@gmail.com; marcec@mweb.co.za
Subject: Objection to mining proposal
Attachments: Lee Marinaki objection.pdf

Please find attached a letter outlining my objections to the proposed mining at Namaquasfontein farm in the magisterial district of Piketberg.

Yours faithfully
Lee Marinaki

--

Lee Marinaki

30th June 2023

Greenmined Environmental
Somerset West,
7130

Per: Sonette Smit at comments@greenmined.co.za

CC: Adv M Coetzee per marcec@mweb.co.za

WC30/5/1/2/2/10171MR // BONGANI MINERALS (PTY) LTD// APPLICATION FOR A MINING RIGHT IN TERMS OF SECTION 22 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 TO MINE TUNGSTEN AND MOLYBDENUM ON PORTION 21 OF THE FARM NAMAQUASFONTEIN 76; THE REMAINING EXTENT OF PORTION 6 OF THE FARM NAMAQUASFONTEIN 76; AND PORTION 1 OF THE FARM NAMAQUASFONTEIN 297 IN THE MAGISTERIAL DISTRICT OF PIKETBERG

I, LEE MARINAKI....., the undersigned and in my capacity as owner/legal occupant/resident of the property known as EAGLES PRIDE FARM....., hereby record my strongest objections against the above application and I insist on being registered as an interested and affected person.


My reasons for the objection include, but is not limited to, the fact that any mining operations shall have a detrimental and irreversible negative impact upon the promulgated protected environment, the intensive agricultural activities in the areas, the hydrology and aquifers, and the Krom Antonies and Verlorenvlei areas in general.

It is my request that the applications be refused by the relevant authority because of –

- the negative and detrimental impacts that any envisaged mining operations will have on the entire area, environmentally, socio-economically; the provision of water to the area and agriculturally;
- the fact that it will not be possible to satisfactorily mitigate any negative impacts on the area;
- the fact that no rehabilitative measures would prevent the degradation of the area and render it in the same position as it was before mining operations; and
- the undesirability of mining operations in the area.

I am aware of the fact that Adv Martin Coetzee will be submitting a detailed objection against the mining right application and the application for environmental authorisation, and I hereby give him a mandate to also object on my behalf and include my name in the list of objectors who he represents.

Kind regards



4.

**COMMENTS RECEIVED FROM ALISON LAING -
INTERESTED AND AFFECTED PARTY**

Marlene van den Berg

From: Alison Laing <alislaing@gmail.com>
Sent: Monday, 03 July 2023 17:13
To: Greenmined Comments
Cc: marcec@mweb.co.za; crisiscare.rachel@gmail.com
Attachments: Alison Laing objection.pdf

30 June 2023

Greenmined Environmental
Somerset West,
7130

Per: Sonette Smit at comments@greenmined.co.za

CC: Adv M Coetzee per marcec@mweb.co.za

WC30/5/1/2/2/10171MR // BONGANI MINERALS (PTY) LTD// APPLICATION FOR A MINING RIGHT IN TERMS OF SECTION 22 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 TO MINE TUNGSTEN AND MOLYBDENUM ON PORTION 21 OF THE FARM NAMAQUASFONTEIN 76; THE REMAINING EXTENT OF PORTION 6 OF THE FARM NAMAQUASFONTEIN 76; AND PORTION 1 OF THE FARM NAMAQUASFONTEIN 297 IN THE MAGISTERIAL DISTRICT OF PIKETBERG

I, ELIZABETH ALISON LAING....., the undersigned and in my capacity as owner/legal occupant resident of the property known as EAGLES PRIDE FARM....., hereby record my strongest objections against the above application and I insist on being registered as an interested and affected person.

My reasons for the objection include, but is not limited to, the fact that any mining operations shall have a detrimental and irreversible negative impact upon the promulgated protected environment, the intensive agricultural activities in the areas, the hydrology and aquifers, and the Krom Antonies and Verlorenvlei areas in general.

It is my request that the applications be refused by the relevant authority because of –

- the negative and detrimental impacts that any envisaged mining operations will have on the entire area, environmentally, socio-economically; the provision of water to the area and agriculturally;
- the fact that it will not be possible to satisfactorily mitigate any negative impacts on the area;
- the fact that no rehabilitative measures would prevent the degradation of the area and render it in the same position as it was before mining operations; and
- the undesirability of mining operations in the area.

I am aware of the fact that Adv Martin Coetzee will be submitting a detailed objection against the mining right application and the application for environmental authorisation, and I hereby give him a mandate to also object on my behalf and include my name in the list of objectors who he represents.

Kind regards

EA Laing

5.

**COMMENTS RECEIVED FROM WALTER EGLI -
INTERESTED AND AFFECTED PARTY**

Marlene van den Berg

From: Walter Egli <walteregli44@gmail.com>
Sent: Monday, 03 July 2023 18:04
To: Greenmined Comments
Subject: Opencast Mining Objections
Attachments: DSC00897.JPG

As recommended by the Trustees BANGHOEK GAME RESERVE!

Walter Egli

Greenmined Environmental
Somerset West,
7130

Per: Sonette Smit at comments@greenmined.co.za

CC: Adv M Coetzee per marcec@mweb.co.za

WC30/5/1/2/2/10171MR // BONGANI MINERALS (PTY) LTD// APPLICATION FOR A MINING RIGHT IN TERMS OF SECTION 22 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 TO MINE TUNGSTEN AND MOLYBDENUM ON PORTION 21 OF THE FARM NAMAQUASFONTEIN 76; THE REMAINING EXTENT OF PORTION 6 OF THE FARM NAMAQUASFONTEIN 76; AND PORTION 1 OF THE FARM NAMAQUASFONTEIN 297 IN THE MAGISTERIAL DISTRICT OF PIKETBERG

I, Egri Walter..... the undersigned and in my capacity as owner/legal occupant/resident of the property known as Banphoek Private Game Reserve, Plot 41..... hereby record my strongest objections against the above application and I insist on being registered as an interested and affected person.

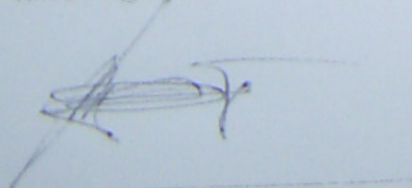
My reasons for the objection include, but is not limited to, the fact that any mining operations shall have a detrimental and irreversible negative impact upon the promulgated protected environment, the intensive agricultural activities in the areas, the hydrology and aquifers, and the Krom Antonies and Verdoornvlei areas in general.

It is my request that the applications be refused by the relevant authority because of –

- the negative and detrimental impacts that any envisaged mining operations will have on the entire area, environmentally, socio-economically; the provision of water to the area and agriculturally;
- the fact that it will not be possible to satisfactorily mitigate any negative impacts on the area;
- the fact that no rehabilitative measures would prevent the degradation of the area and render it in the same position as it was before mining operations; and
- the undesirability of mining operations in the area.

I am aware of the fact that Adv Martin Coetzee will be submitting a detailed objection against the mining right application and the application for environmental authorisation, and I hereby give him a mandate to also object on my behalf and include my name in the list of objectors who he represents.

Kind regards



6.

**COMMENTS RECEIVED FROM SYLVESTER
PEVERELLE FROM WEBBER WENTZEL**

Marlene van den Berg

From: Sylvester Peverelle <Sylvester.Peverelle@webberwentzel.com>
Sent: Monday, 03 July 2023 18:11
To: Sonette Smit; Greenmined Comments
Cc: Christine Fouche
Subject: Matter 3030820 - Comments by Wilgerbosdrift (Pty) Ltd on Draft Scoping Report iro WC30/5/1/2/2/10171MR - Bongani Minerals (Pty) Ltd (RE: DSR Notice dd 31 May 2023)
Attachments: Comments by Wilgerbosdrift (Pty) Ltd on Draft Scoping Report iro WC30_5_1_2_2_10171MR - Bongani Minerals (Pty) Ltd(19829000.1).pdf
Importance: High

Dear Ms Smit,

Enclosed please find Comments by Wilgerbosdrift (Pty) Ltd on the Draft Scoping Report iro WC30/5/1/2/2/10171MR - Bongani Minerals (Pty) Ltd.

Kindly acknowledge receipt hereof.

Yours faithfully

Sylvester Peverelle | Adviser | Webber Wentzel

T: +27115305980 | M: +27825628588 | sylvester.peverelle@webberwentzel.com | www.webberwentzel.com

From: Greenmined <Sonette.S@greenmined.co.za>
Sent: 31 May 2023 15:34
To: Sylvester Peverelle <Sylvester.Peverelle@webberwentzel.com>
Subject: DSR Notice - WC 30/5/1/2/2/10171 MR - Bongani Minerals (Pty) Ltd

▪

RE: NOTICE OF AN APPLICATION IN TERMS OF SECTION 22 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002), SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998 NEMA), THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED), AS WELL AS THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT 59 OF 2008) SUBMITTED BY BONGANI MINERALS (PTY) LTD OVER PORTION 1 OF FARM 297, PORTION 6 (REMAINING EXTENT) OF THE FARM NAMAQUASFONTEIN NO 76, PORTION 21 OF THE FARM NAMAQUASFONTEIN NO 76. REFERENCE NUMBER: WC 30/5/1/2/2/10171 MR.

Notice is hereby given of applications by Bongani Minerals (Pty) Ltd (“the Applicant”) for:

- A mining right to mine Tungsten ore, Molybdenum ore, Rare Earths, Copper ore, Zinc ore, Gold ore, Silver ore, Tin ore, Aggregate and Sand.
- An environmental authorization (“EA”) application in terms of the National Environmental Management Act, 1998 (act 107 of 1998) (NEMA) and the Environmental Impact Assessment Regulations, 2014 (as amended).
- An application for a waste license in terms of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008), to be included in the NEMA EA application.

- An application for water uses authorization to the Department of Water and Sanitation, in terms of the National Water Act, 1998 (Act No 36 of 1998).
- A heritage impact assessment and palaeontological impact assessment to be submitted to Heritage Western Cape in terms of the National Heritage Resources Act, 1999 (Act No 25 of 1999).
- A land development application to be submitted to the Department of Environmental Affairs and Development Planning in terms of the Land Use Planning Act, 2014 (Act No 13 of 2014).

Further to this, please find attached notification that the draft Scoping Report (DSR) and draft Social and Labour Plan (DSLPP) for the proposed project over Portion 1 of the Farm 297 RD, Portion 6 (Remaining Extent) of the farm Namaquasfontein 76 RD and Portion 21 of the farm Namaquasfontein 76 RD, situated in the West Coast Magisterial District, Western Cape Province is now available for your perusal.

A copy of the documents can be obtained from Greenmined Environmental (Pty) Ltd upon request or downloaded from the company website at <https://www.greenmined.com/mining-rights/>. Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or comments@greenmined.co.za should you require any additional information.

Kind Regards/Vriendelike Groete

Marlene van den Berg

Project Administrator

If you wish to unsubscribe from our newsletter, click [here](#)



WEBBER WENTZEL

in alliance with > **Linklaters**

Messrs Greenmined Environmental (Pty) Ltd
106 Baker Square, Block 1
Paardevelei
De Beers Avenue
Somerset West
7130

90 Rivonia Road, Sandton
Johannesburg, 2196
PO Box 61771, Marshalltown
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www.webberwentzel.com

BY E-MAIL: comments@greenmined.co.za
Sonette.S@greenmined.co.za
Christine.F@greenmined.co.za

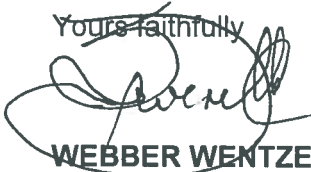
Your reference	Our reference	Date
Ms S Smit; Ms C Fouche WC10171MR (Bongani Minerals)	DHL Booyesen/SL Peverelle Matter 3030820	3 July 2023

Dear Sirs

Comments by Wilgerbosdrift (Pty) Ltd on the Draft Scoping Report in respect of Bongani Minerals (Pty) Ltd's Riviera Tungsten Project and its Mining Right Application under the Department of Mineral Resources and Energy ("DMRE") Ref. WC30/5/1/2/2/10171MR

1. We represent Wilgerbosdrift Proprietary Limited ("our Client").
2. Enclosed please find our Client's comments on the subject Draft Scoping Report.
3. We will, under separate cover, register our Client as an interested and affected party for all purposes of and incidental to the Mining Right Application and Environmental Authorisation Application of Bongani Minerals (Pty) Ltd, which applications are being processed under the DMRE's Reference WC30/5/1/2/2/10171MR.
4. Kindly acknowledge receipt hereof.

Yours faithfully



WEBBER WENTZEL

Sylvester Peverelle - Adviser

Mobile: +27825628588

Email: sylvester.peverelle@webberwentzel.com

WW Letter Dd 3 July 2023 To Greenmined Environmental (Pty) Ltd - Comments On Draft Scoping Report(19828888 1)

Senior Partner: JC Els **Managing Partner:** SJ Hutton **Partners:** BW Abraham RB Africa NG Alp RL Appelbaum DC Bayman KL Beilings AE Bennett AP Blair DHL Booyesen AR Bowley J Braum MS Burger M Bux RI Carrim T Cassim SJ Chong ME Claassens C Collett KL Collier KM Colman KE Coster K Couzyn DB Cron PA Crosland R Cruywagen JH Davies PM Daya L de Bruyn PU Dela M Denenga DW de Villiers BEC Dickinson MA Diemont DA Dingley MS Dladla G Driver W Drue GP Duncan HJ du Preez CP du Toit SK Edmundson LF Egypt KH Eiser AE Esterhuizen MJR Evans K Fazel AA Felekis G Fitzmaurice JB Forman L Franca KL Gawith OH Geldenhuys MM Gibson CI Gouws PD Grealy S Haroun JM Harvey JS Henning KR Hillis Z Hlophe CM Holfeld PM Holloway AV Ismail ME Jarvis CA Jennings JC Jones CM Jonker S Jooste LA Kahn ACR Katzke M Kennedy KE Kilner A Keyser MD Kota JC Kraamwinkel J Lamb KJ Lebea E Louw M Mahlangu V Mannar L Marais G Masina T Masingi N Mbere MC McIntosh SJ McKenzie CS Meyer AJ Mills D Milo NP Mngomezulu P Mohanlal M Moloi N Moodley LE Mostert VM Movshovich C Murphy RA Nelson G Niven ZN Ntshona M Nxumalo AN Nyatumba A October L Odendaal GJP Olivier N Paige AMT Pardini AS Parry S Patel N Pather GR Penfold SE Phajane M Philippides BA Phillips MA Phillips DJ Rafferty D Ramjettan GI Rapson K Rew SA Ritchie NJA Robb J Roberts G Sader M Sader H Samsodien JW Scholtz KE Shepherd AJ Simpson N Singh N Singh-Nogueira P Singh S Sithole J Smit RS Smith MP Spalding PS Stein MW Strauli LJ Swaine Z Swanepoel A Thakor T Theessen TK Thekiso C Theodosiou T Theunissen R Tihavani G Truter PZ Vanda SE van der Meulen JP van der Poel CS Vanmali JE Veeran B Versfeld MG Versfeld TA Versfeld DM Visagie EME Warrington J Watson AWR Westwood RH Wilson KD Wolmarans DJ Wright M Yudaken

Chief Operating Officer: SA Boyd

**PROPOSED RIVIERA TUNGSTEN PROJECT ON PORTION 1 OF FARM NO 297,
REMAINING EXTENT PORTION 6 OF THE FARM NAMAQUASFONTEIN NO 76 AND
PORTION 21 OF THE FARM NAMAQUASFONTEIN NO 76, WEST COAST MAGISTERIAL
DISTRICT (PIKETBERG), WESTERN CAPE PROVINCE**

COMMENTS BY:

WILGERBOSDRIFT PROPRIETARY LIMITED

Registration No 1997/002594/07

ON

DRAFT SCOPING REPORT

REF No WC 30/5/1/2/2/10171 MR

DRAFT SCOPING REPORT PREPARED:

BY: Greenmined Environmental (Pty) Ltd

Ref: Ms C Fouche

Email: christine.f@greenmined.co.za

FOR: Bongani Minerals (Pty) Ltd

Ref: MR L Koster

Email lionel@strata-africa.com

1. Introduction

Bongani Minerals (Pty Ltd ("**the Applicant**") applied for a mining right to mine tungsten molybdenum, rare earths, copper, zinc, gold, silver, tin, aggregate and sand on an area measuring 531,4405 Hectares on Portion 1 of the Farm No 297, Piketberg RD, Remaining Extent of Portion 6 of the farm Namaquasfontein No 76 and Portion 21 of the farm Namaquasfontein No 76 ("**the Mining Right Application**") Westcoast Magisterial District (Piketberg), Western Cape Province ("**the Application Area**").

The Applicant also applied for an Environmental Authorisation for certain listed activities which the Applicant proposes to undertake if the mining right application is granted, in terms of the National Environmental Management Act, No 107 of 1998 and the Environmental Impact Assessment Regulations, 2014 ("**the EA Application**") and prepared a Draft Scoping Report ("**DSR**") in respect of the Environmental Impact Assessment Process ("**EIAP**").

Wilgerbosdrift Proprietary Limited Registration No 1997/002594/07 ("**Wilgerbosdrift**") is the registered owner of

Portion 1 of Farm No 297, Piketberg RD;

Measuring 175,3849 Hectares;

Held by Deed of Transfer No T 52014//2019,

("Portion 1") which forms part of the Application Area.

Wilgerbosdrift is also the registered owner of the following properties, situated in the immediate vicinity of the Application Area:

Portion 18 of the Farm Tweekuilen No 44, Piketberg RD;

Measuring 7928 Square Metres;

Held by Deed of Transfer No T 19663/2019;

Remaining Extent of the Farm Ezelfontein No 47, Piketberg RD

Measuring 244,3042 Hectares

Held by Deed of Transfer No T 78304/2003;

Portion 4 of the Farm Ezelfontein No 47, Piketberg RD;

Measuring 285,1462 Hectares;

Held by Deed of Transfer No T 78304/2003;

Portion 5 of the Farm Ezelfontein No 47, Piketberg RD;

Measuring 26,8961 Hectares

Held by Deed of Transfer No T 78304/2003;

Portion 8 of the Farm Ezelfontein No 47 Piketberg RD;

Measuring 214,7039 Hectares;

Held by Deed of Transfer No T 78304/2003;

The Farm Wilgerbosdrift No 51, Piketberg RD;

Measuring 901,5078 Hectares

Held by Deed of Transfer No T 27399/1998;

Portion 21 of the Farm Tweekuilen No 44, Piketberg RD;

Measuring 7751 Square Metres;

Held by Deed of Transfer No T 4025/1998;

Portion 24 of the Farm Tweekuilen No 44, Piketberg RD;

Measuring 8692 Square Metres;

Held by Deed of Transfer No T 4024/1998; and

Portion 25 of the Farm Tweekuilen No 44 Piketberg RD;

Measuring 1,4714 Hectares;

Held by Deed of Transfer No T 4025/1998.

The total extent of the aforesaid properties is 1 851,8516 Hectares

As such Wilgerbosdrift is:

- 1.1 an interested an affected party in relation to the Mining Right Application, the EA Application and the EIAP; and
- 1.2 an interested member of the community affected by the proposed activities for which the Applicant applies for an Environmental Authorisation.

2. Purpose of the DSR

2.1 On p 4 of the DSR the Applicant states:

"The scoping report identifies the potential positive and negative impacts that the proposed activity (sic) and alternatives will have on the environment and the community as well as the aspects that may impact on the socio-economic conditions of directly (sic) affected persons and proposes possible mitigation measures that could be applied to modify / remedy / control / stop the identified impacts."

2.2 On p 14 the Applicant states that

"The objective of the scoping process is to, through a consultative process:

- a) ...
- b) ...
- c) ...
- d) ...
- e) identify and confirm the preferred site, through a detailed selection process, which includes an impact and risk assessment process inclusive of cumulative impacts and a ranking process of all identified alternatives focusing on the geographical, physical, biological, social, economic and cultural aspects of the environment;
- f) **identify the key issues to be addressed in the assessment phase;**
- g) **agree on the level of assessment to be undertaken, including the methodology to be applied, the expertise required** as well as the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site through the life of the activity, including the nature, significance, consequence, extent, duration, and probability of the impacts to inform the location of the development footprint within the preferred site;

- h) identify suitable measures to avoid, manage or mitigate identified impacts and to determine the extent of the residual risks that need to be managed and monitored".

(Emphasis added)

2.3 Our comments on the DSR are based on the issues emphasised above, being:

- i. the identification of the key issues to be addressed in the assessment phase; and
- ii. the level of assessment to be undertaken;
- iii. the methodology to be applied;
- iv. the expertise required; and
- v. the extent of "further consultation to be undertaken".

3. Background

3.1 The Application Area falls within a bigger area which has been declared a Protected Environment in terms of the National Environment Management: Protected Areas Act No 57 of 2003 ("**NEMPAA**") by Provincial Notice 56/2018 published in Provincial Gazette No 7916 of 20 April 2018 ("**the Moutonshoek Protected Environment**").

3.2 Wilgerbosdrift (in its capacity as the registered owner of the properties referred to above) entered into a notarial agreement with the Minister of Local Government, Environmental Affairs and Development Planning of the Provincial Government of the Western Cape, on behalf of the Provincial Government of the Western Cape, in terms of Section 28(3) of the NEMPAA ("**the Management Agreement**") regarding the management of the Moutonshoek Protected Environment. In terms of the said notarial agreement, amongst others, the management of the Moutonshoek Protected Environment will be assigned to the Moutonshoek Land Owner's Association and the Western Cape Nature Conservation Board agreed to assist the Moutonshoek Land Owner's Association with the compilation, reviewing and auditing of the Management Plan which is in the process of being developed.

The Management Agreement sets out the reasons for the declaration in the following terms:

- a) *"The regional importance of the Krom Antonies River as the main tributary of Verlorenvlei wetland system and the ecological importance to the biodiversity of the area through the proper functioning of wetland systems in general, and by supplying 60% of the water volume and 90% of the water quality to the Verlorenvlei Estuary which is listed as an important Bird and Biodiversity Area and a Ramsar site.*

- b) *Is part of the core area for expansion of the Sandveld corridor, linking the coast to the Piketberg Mountains via a network of stewardship sites along a freshwater gradient within the greater Cederberg Biodiversity Corridor.*

- c) *That the Krom Antonies Catchment falls within the following land-use planning and decision-making areas namely the Critical Biodiversity Area and Ecological Support Area as describe by SANBI and National Freshwater Ecosystems Area as designed by the Department of Water Affairs and is therefore of conservation importance.*

- d) *The Krom Antonies Catchment includes the following rare and threatened biodiversity:*
 - i. *The recently discovered species of flora, *Diascia caitliniae*, Red listed as Endangered. The are also includes a number of other threatened plant species including: *Serruria decipiens* (Vulnerable), *Leucospermum rodolentum* (Vulnerable), *Protea scolymocephala*, (Vulnerbale), *Serruria fucifolia* (Endangered), *Leacadendron loranthifolium* (near Threatened) and *Leucospermum areniarum* (Critically Endangered).*

 - ii. *Endangered Verlorenvlei Redfin (*Pseudobarbus verlorenei*), previously undescribed, and genetically different from the Berg River Redfin. The near threatened Cape Galaxias (*Galaxias zebratus*) and Cape Kurper (*Sandelia capensis*).*

 - iii. *A new insect order – Austrophasmatidae – (Heel walker) and a unique diversity of Hopliine (monkey) beetles, including the rare *Anisonyx ditus*.*

- iv. *Threatened west coast endemics such as Grant's Golden Mole (Eremitalpa granti), protected species such as Cape Clawless Otter (Aonyx capensis), Honey Badger (Mellivora capensis) and Cape Fox (Vulpes Chama). The area is also important for the vulnerable Cape Leopard (Panthera pardus) which could 1qualify as a separate sub-species.*
 - v. *Endangered Blue Crane (Anthropoides paradiseus), threatened African Marsh Harrier (Circus ranivorus), Black Harrier (Circus Maurus), and vulnerable bird species including the Peregrine Falcon (Falco peregrinus) and Martial Eagle (Polemaetus bellicosus).*
 - vi. *Rare reptile species such as the Armadillo Lizard (Cordylus cataphractus), Black Spitting Cobra (Naja nigricollis woodi), Angulate Tortoise (Chersina angulata), Mole Snake (Pseudaspis cana), Southern Rock Agama (Agama Atra) and the Southern Rough Ghecko (Pachydactylus formosus).*
- e) *The Properties include threatened vegetation including; Swartland Shale Renosterveld (Critically Endangered), Swartland Silcrete Renosterveld (Critically Endangered), Leipoldtville Sand Fynbos (Vulnerable), Piketberg Sandstone Fynbos (Vulnerable), Piketberg Quartz Succulent Shrubland (Vulnerable) in small patches along the Krom Antonies River, Cape Lowland Freshwater Wetlands (least threatened), Graafwater Sandstone Fynbos (Least Threatened) and other conservation-worthy land are located on the properties."*

3.3 It is clear from the aforesaid that the potential impacts of the proposed activities on the proposed "mining footprint" demarcated on Figure 1 (p.16), Figure 2 (p.21), Figure 5 (p.26) and Figure 10 (p.54) of the DSR will be significantly wider than the mining footprint and will extend into the adjoining and non-adjacent areas (where the effects of the proposed activities are likely to cause environmental harm and damage to the fauna and flora which are already endangered and need to be protected in compliance with the mandates of the Constitution of the Republic of South Africa.

4. Shortcomings in the DSR

4.1 The Study Area is inadequately defined

It is submitted that the DSR does not define the study area for the EIAP clearly. It is therefore not clear in which area the EIA will be undertaken. In view of the

effects of activities undertaken on the Application Area on other areas necessitates a clear determination of where those effects can manifest and to define the study area accordingly.

It is recommended that the Study area be defined with provision for adjustment thereof upon receipt of relevant specialist reports.

4.2 The DSR is based on baseline information that is either not up to date or such baseline information is not correctly reflected in the DSR.

4.2.1 In Table 4 (p 32) under the question "How were the ecological integrity considerations taken into account", the DSR refers to the SANBI 2018 National Vegetation Map which shows the vegetation types of relevance as "the Leipoldtville Sand Fynbos - Endangered and the Piketberg Sandstone Fynbos as 'least threatened' " (which is incorrect and should read "vulnerable").

4.2.2 As set out in paragraph 3.2 (d) (i) above

"The recently discovered species of flora, *Diascia caitliniae*, Red listed as Endangered. There are also a number of other threatened plant species including: *Serruria decipiens* (Vulnerable), *Leucospermum rodolentum* (Vulnerable), *Protea scolymocephala*, (Vulnerable), *Serruria fucifolia* (Endangered), *Leacadendron loranthifolium* (near Threatened) and *Leucospermum areniarum* (Critically Endangered)."

4.2.3 As set out in Paragraph 3.2(e) above the area include the following threatened vegetation "Swartland Shale Renosterveld (Critically Endangered), Swartland Silcrete Renosterveld (Critically Endangered), Leipoldtville Sand Fynbos (Vulnerable), Piketberg Sandstone Fynbos (Vulnerable), Piketberg Quartz Succulent Shrubland (Vulnerable)"

4.2.4 The DSR refers to the environmental sensitivities set out in the DFFE Screening Report for Environmental Authorisations ("**Screening Report**"). While the references may be correct, the sensitivities noted by the Screening Report cannot be applied without due regard to the factual position in the specific area where the proposed activities are to be undertaken.

4.2.5 The Screening Report (according to the DSR) notes the following sensitivities in respect of the undermentioned themes.

4.2.5.1 The Animal Species Theme - "high" sensitivity. In view of paragraph 3.2 above and the environmental sensitivity of the Application Area, this should be "very high".

4.2.5.2 The Plant Species Theme - "Medium" sensitivity. In view of paragraph 3.2 above and the environmental sensitivity of the Application Area, this should be "very high".

4.2.6 The relevance of the insufficient sensitivity ranking in the DSR will impact the level of the studies to be undertaken during the EIAP as set out in paragraph 2.3 above, being:

- i. the identification of the key issues to be addressed in the assessment phase; and
- ii. the level of assessment to be undertaken;
- iii. the methodology to be applied;
- iv. the expertise required; and
- v. the extent of "further consultation to be undertaken".

4.3 **Greenmined reflects the contents of the Moutonshoek Protected Environment and Management Agreement incorrectly**

It is clear from the DSR (pp. 56 to 61) that the EAP is aware that the Application Area forms part of the Moutonshoek Protected Environment. Surprisingly, the factual statements in the DSR regarding the Moutonshoek Protected Environment and the reasons for its status as a Protected Environment are incorrect and misleading as pointed out below.

4.4 **The DSR incorrectly reflects the conservation status of Piketberg Sandstone Fynbos**

4.4.1 On p 60 of the DSR the conservation status of Piketberg Sandstone Fynbos is described as "Least Threatened" while it is correctly described as "vulnerable" on p 75 of the DSR. Furthermore, the DSR refers to the DFFE Screening Report which notes that "portions of the area are of "medium sensitivity". In a site-specific context and in the context of the Management Agreement (of which the applicant and Greenmined are evidently aware),

the vegetation of the Application Area is undoubtedly highly sensitive. It is further suggested that the accuracy of the map in Figure 29 (p.76) should be confirmed in the final Scoping Report and during the EIAP.

The basis on which the Management Agreement was premised and concluded is that Piketberg Sandstone Fynbos is "vulnerable".

4.5 **The DSR's list of important fauna species is incomplete**

4.5.1 On p.60 of the DSR reference is made to only 6 mammal species by reference to the MamalMAP of the virtual museum of African Mammals.

Reference should be made to paragraph C(d)(iv) of the Management Agreement which lists the endemic threatened Grant's Golden Mole (*Eremitalpa granti*), Cape Clawless Otter (*Aonyyx capensis*), Honey Badger (*Mellivora capensis*) and Cape Fox (*Vulpes chama*) and such should be included in the DSR.

4.5.2 In respect of birdlife the DSR only refers to Withers (2009) which speculates that birds found in the area will most likely include game birds such as guinea fowl and small insectivorous species and makes reference to 177 bird species supported by the Verlorenvlei catchment (p 71 of the DSR).

4.5.3 Reference should be made to paragraph C(d)(v) of the Management Agreement which lists the endangered Blue Crane (*Anthropoides paradiseus*), threatened African March Harrier (*Circus Ranivorus*), Black Harrier (*Circus maurus*) and vulnerable bird species including the Peregrine Falcon (*Falco peregrinus*) and Martial Eagle (*Polemaetus bellicosus*).

4.5.4 A matter of grave concern is the map (Figure 14 on p.61 of the DSR) which creates the impression that the Application Area is not an important bird area. This creates the impression that an ornithological specialist study of the area may not be required during the EIAP. It is suggested that a specialist ornithological study should be included in the final scoping report.

4.5.5 The Management Agreement lists a number of rare reptile species occurring in the Moutonshoek Protected Environment. The DSR does not propose a specialist herpathological study during the EIAP. It is suggested that a specialist herpathological study should be included in the final scoping report.

4.5.6 The Management Agreement lists a number of rare fish species occurring in the Moutonshoek Protected Environment, namely the endangered Verlorenvlei Redfin (*Pseudobarbis verlorene*), the near threatened Cape Galaxias (*Galaxias Zebratus*) and the Cape Kurper (*Sandelia cpaensis*). While the DSR refers to these species under the heading "Site Specific Hydrology" the DSR does not propose a specialist ichthyological study during the EIAP. It only proposes a study by a hydrologist to undertake a comprehensive Aquatic Biodiversity and Hydrological Impact Assessment of the Study Area. It is suggested that a specialist ichthyological study should also be included in the final scoping report.

4.5.7 The Management Agreement lists a number of new insect orders occurring in the Moutonshoek Protected Environment, namely the Austrophasmatidae (Heel walker) and a unique diversity of hoplines (monkey beetles) including the rare *Anisonyx ditus*. The DSR does not propose a specialist entomological study during the EIAP. It is suggested that a specialist entomological study should be included in the final scoping report.

4.6 **The sensitivities of various potential impacts are not correctly identified**

4.6.1 In Paragraph i) pp.80 to 87 of the DSR, the EAP preliminary identifies a number of impacts which the proposed activity will have on the environment and assigns a significance to each of those potential impacts.

4.7 **Wilgerbosdrift objects to the low significance assigned to the following impacts:**

4.7.1 Impact on biodiversity sensitive areas, natural vegetation areas and species of concern – "medium" impact.

In view of the aforesaid contents of these comments, it is suggested that the rating should be "High".

4.7.2 Impact of terrestrial fauna within the footprint area – "Low-medium" impact.

In view of the aforesaid contents of these comments, it is suggested that the impact should be "High".

4.7.3 Dust nuisance caused by disturbance of soil and transport of material – "medium" impact.

In view of the aforesaid contents of these comments, it is suggested that the impact should be "High". This comment is informed by the fact that Wilgerbosdrift conducts horse farming and a stud breeding, raising and training operation on the properties situated in the immediate vicinity of the Application Area. Horses are extremely sensitive to dust and noise.

4.7.4 Noise nuisance caused by earthmoving machinery – "medium" impact.

In view of the aforesaid contents of these comments, it is suggested that the impact should be "High".

4.7.5 Potential sedimentation/contamination of the Krom Antonies River through surface runoff – "medium impact.

In view of the aforesaid contents of these comments, it is suggested that the impact should be "High".

4.8 **Mitigation measures proposed on potential impacts listed on p. 97**

4.8.1 The DSR only proposes (as far as relevant for these comments) mitigation measures in respect of "Indigenous vegetation", "wetlands" and "fauna".

4.8.2 Wilgerbosdrift proposes additional specialist studies (ornithological, herpetological, ichthyological and entomological studies). Mitigation measures proposed at this stage of the process may well be premature. It is recommended that the results of specialist studies and the mitigation measures or no-go alternatives proposed by each of them be considered during the EIAP.


4.9 **The Tungsten Concentrate process is inadequately described.**

4.9.1 Wilgerbosdrift notes that processing of excavated material will take place on site to produce tungsten concentrate (Paragraph 3 (a) p.103). On p 25 the proposed processing is briefly described as "*At the processing plant the excavated material will be crushed through a jaw crusher and then screened. Upon being milled the material will be spiralled, deslimed, dewatered and vibrated to produce concentrate that will contain the tungsten and molybdenum.*"

4.9.2 The listed activities which the proposed processing will trigger and their potential environmental effects are inadequately described in the DSR. These processes and activities are likely to generate slimes, contamination of water and other waste products which may have adverse environment effects which are conspicuously absent from the DSR. This is a serious shortcoming which must be rectified.

5. Conclusion

Wilgerbosdrift appreciates the opportunity to provide its input on the DSR and trusts that these comments will be taken into consideration in the development of a final scoping report. An inadequate scoping report will result in the environmental impacts and effects of the proposed activities not being adequately assessed and addressed. A correct scoping of the EIAP will also facilitate the public consultation process which will be undertaken.



DHL BOOYSEN

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On behalf of WILGERBOSDRIFT PROPRIETARY LIMITED

3 July 2023

7.

**COMMENTS RECEIVED FROM THE DEPARTMENT
OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT
PLANNING**

Marlene van den Berg

From: Thea Jordan <Thea.Jordan@westerncape.gov.za>
Sent: Monday, 03 July 2023 18:45
To: Greenmined Comments; Christine Fouche
Cc: Adri La Meyer
Subject: Comments on the DSR for the proposed mining right in the Moutonshoek Protected Environment, Redelinghuys (WC 30/5/1/2/2/10171 MR)
Attachments: 2023 July 3 - Comments on the DSR for the proposed mining right in the Moutonshoek Protected Environment, Redelinghuys.pdf

Dear EAP,

Your request for comment refers.

Please find attached this Department's comment in the above regard.

Yours faithfully

Thea Jordan
Pr. Pl. (A/1237/2002)
Director: Development Facilitation
Department of Environmental Affairs and Development Planning
Western Cape Government

11th Floor, Utilitas Building, 1 Dorp Street, Cape Town, 8000

Tel: +27 (0)21 483 4093
Email: Thea.Jordan@westerncape.gov.za
Website: www.westerncape.gov.za/eadp



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Due to COVID-19 restrictions, we are still operating on a "work-from-home" basis.
Should you not be able to contact the numbers above, please call +27 (0)21 483 4091
between 07:30-16:00.

From: Greenmined Comments <comments@greenmined.co.za>
Sent: Tuesday, May 30, 2023 8:24
To: Pieter.vanZyl@westerncape.gov.za; Adri La Meyer <Adri.LaMeyer@westerncape.gov.za>; Ayesha Hamdulay <Ayesha.Hamdulay@westerncape.gov.za>
Subject: DSR Notice - WC 30/5/1/2/2/10171 MR - Bongani Minerals (Pty) Ltd - DEADP

Good day,

RE: NOTICE OF AN APPLICATION IN TERMS OF SECTION 22 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002), SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998 NEMA), THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED), AS WELL AS THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT 59 OF 2008) SUBMITTED BY BONGANI MINERALS (PTY) LTD OVER PORTION 1 OF FARM 297, PORTION 6 (REMAINING EXTENT) OF THE FARM NAMAQUASFONTEIN NO 76, PORTION 21 OF THE FARM NAMAQUASFONTEIN NO 76. REFERENCE NUMBER: WC 30/5/1/2/2/10171 MR.

Notice is hereby given of applications by Bongani Minerals (Pty) Ltd (“the Applicant”) for:

- A mining right to mine Tungsten ore, Molybdenum ore, Rare Earths, Copper ore, Zinc ore, Gold ore, Silver ore, Tin ore, Aggregate and Sand.
- An environmental authorization (“EA”) application in terms of the National Environmental Management Act, 1998 (act 107 of 1998) (NEMA) and the Environmental Impact Assessment Regulations, 2014 (as amended).
- An application for a waste license in terms of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008), to be included in the NEMA EA application.
- An application for water uses authorization to the Department of Water and Sanitation, in terms of the National Water Act, 1998 (Act No 36 of 1998).
- A heritage impact assessment and palaeontological impact assessment to be submitted to Heritage Western Cape in terms of the National Heritage Resources Act, 1999 (Act No 25 of 1999).
- A land development application to be submitted to the Department of Environmental Affairs and Development Planning in terms of the Land Use Planning Act, 2014 (Act No 13 of 2014).

Further to this, please find attached notification that the draft Scoping Report (DSR) and draft Social and Labour Plan (DSLPL) for the proposed project over Portion 1 of the Farm 297 RD, Portion 6 (Remaining Extent) of the farm Namaquasfontein 76 RD and Portion 21 of the farm Namaquasfontein 76 RD, situated in the West Coast Magisterial District, Western Cape Province is now available for your perusal.

A copy of the documents can be obtained from Greenmined Environmental (Pty) Ltd upon request or downloaded from the company website at <https://www.greenmined.com/mining-rights/>. Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or comments@greenmined.co.za should you require any additional information.

Kind Regards/Vriendelike Groete

Marlene van den Berg
Project Administrator



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

106 Baker Square, Paardevlei
De Beers Avenue
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7130

Suite 62, Private Bag x15
Somerset West, 7129

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

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If you are not the intended recipient you may not copy or deliver this message to anyone."



References:

- 18/2/3/2023-2024 (Development Facilitation)
- 16/3/3/6/4/2/2/F1/11/2093/23 (Development Management)
- 17/1/8 (CMU 045/2023) (Biodiversity and Coastal Management)
- 19/3/2/4/F1/2/DDF011/23 (Pollution and Chemicals Management)
- 19/2/5/3/F1/13/WL0087/23 (Waste Management)
- 19/4/4/BB2-Bongani Minerals (Air Quality Management)

Attention: Ms Christine Fouché

Greenmined Environmental (Pty) Ltd
Postnet Suite 62
Private Bag X15
SOMERSET WEST
7129

christine.f@greenmined.co.za

Dear Madam

COMMENTS ON THE DRAFT SCOPING REPORT AND PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT FOR THE PROPOSED MINING RIGHT FOR TUNGSTEN, MOLYBDENUM, RARE EARTHS, COPPER, ZINC, GOLD, SILVER, TIN, AGGREGATE AND SAND ON PORTION 1 OF FARM NO. 297, AND PORTION 6 (REMAINING EXTENT) AND PORTION 21 OF THE FARM NAMAQUASFONTEIN NO. 76, MOUTONSHOEK VALLEY, REDELINGHUYS (DMRE REF: WC 30/5/1/2/2/10171 MR)

1. The email notification of 30 May 2023 informing the Department of the availability of the Draft Scoping Report ("DSR") for comments refers.
2. The Department provided comments on 12 February 2019 on the previous DSR for the mining right application (previous reference WC 30/5/1/2/2/10110 MR) on the subject properties. Noting that the scope of the mining right application has not changed since the Department's previous comments on the DSR dated January 2019, the Department again **objects to and does not support** the development proposal.
3. Please find consolidated comments from various directorates in the Department on the DSR and Plan of Study for Environmental Impact Assessment ("EIA") dated May 2023 that was available for download from the website of the environmental assessment practitioner ("EAP").

4. Directorate: Development Facilitation – Ms Adri La Meyer (Email: Adri.Lameyer@westerncape.gov.za; Tel.: (021) 483 2887):
- 4.1. The DSR notes that “[T]he proposed mining area also extends into the Moutonshoek Protected Environment”, with “Farm 297/1 and Namaquasfontein 76/21 included in the Moutonshoek Protected Environment.” The Moutonshoek Protected Environment was declared as a protected environment on 20 April 2018 in terms of section 28(1)(a)(i) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (“NEM: PAA”). The Moutonshoek Protected Environment (“MPE”) is of extremely high conservation importance for the protection of terrestrial and aquatic ecosystems. This Directorate **does not support** the proposed mining and mining related activities, considering the estimated 15-year life of mine in a Protected Environment.
- 4.2. Section 48 of the NEM: PAA, 2003 provides for restrictions in protected areas.
- “48. Prospecting and mining activities in protected area**
- (1) *Despite other legislation, no person may conduct commercial prospecting, mining, exploration, production or related activities –*
- (a) in a special nature reserve, national park or nature reserve;*
- (b) in a protected environment without the written permission of the Minister and the Cabinet member responsible for minerals and energy affairs; or*
- (c) in a protected area referred to in section 9(b), (c) or (d)...*
- (3) The Minister, after consultation with the Cabinet member responsible for mineral and energy affairs, may, in relation to the activities contemplated in subsection (2), as well as in relation to mining activities conducted in areas contemplated in that subsection which were declared as such after the commencement of this section, prescribe conditions under which those activities may continue in order to reduce or eliminate the impact of those activities on the environment or for the environmental protection of the area concerned.”*
- 4.3. Per section 48 of the NEM: PAA, 2003, the National Minister responsible for environmental affairs must be consulted. Table 5 of the DSR must be updated to include the Department of Forestry, Fisheries and the Environment as a stakeholder that must be consulted.
- 4.4. This Directorate recommends that the competent authority follow a risk-averse approach and **refuse authorisation** in terms of regulation 22(b)(i) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) EIA Regulations, 2014 (as amended), as the EIA listed activity applied for conflicts with a prohibition contained in legislation.
- 4.5. The land use map (Appendix 5) and site layout plan (Appendix 4) do not indicate the location of the proposed mining area in relation to the MPE. Appendix 5 depicts a conservation area indicated as “Banhoek”, but the location of the proposed mining area falls outside this private nature reserve. Whilst the DSR provide a description and a map of the properties encompassing the MPE, it fails to provide a detailed site layout plan clearly indicating the proposed mining area superimposed on the MPE. Based on paragraph 4.1. above, it appears that only Portion 6 (Remaining Extent) of the Farm Namaquasfontein No. 76 falls outside the MPE.

- 4.6. The Plan of Study for EIA identifies the various specialist studies that will be undertaken during the environmental impact reporting ("EIR") phase. The EAP is cautioned that the final (Scoping and EIA) reports must be submitted to the competent authority within the stipulated, legislated timeframe. Certain specialist studies must be undertaken during the correct season, and as indicated in the Plan of Study for EIA, "[S]ome of the specialist studies will need to be conducted over two seasons [sic] (dry & wet)." The lack of specialists' site visits may result in a delay in submitting the final reports to the competent authority, and the ultimate lapsing of the EIA and waste management licence ("WML") application.
- 4.7. Table 3 lists the Bergrivier Municipality Integrated Development Plan ("IDP") of 2017 – 2022 as relevant to the application. Please note that the council approved IDP of Bergrivier Municipality (2022 – 2027) must be consulted and reported on.
- 4.8. Table 3 further notes that a water use licence ("WUL") application will be submitted to the Department of Water and Sanitation ("DWS") in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). The DSR however does not specify which section 21 water uses require authorisation in terms of the NWA, 1998. (In this regard, please also refer to paragraph 8.10. below.) The identified water uses must be clearly indicated as they may affect the terms of reference for the appointment of relevant specialists.
- 4.9. It is assumed that dewatering of the maximum 170m of opencast mining will also require a water use authorisation. The impacts of dewatering on the receiving environment and affected groundwater users must be assessed in the Aquatic Biodiversity and Hydrological Impact Assessment as well as the Hydrogeology Assessment.
- 4.10. Further to the above, The EAP's attention is drawn to the provisions of the "One Environmental System", specifically in terms of the synchronisation of the consideration of the application in terms of the NEMA, 1998 and the NWA, 1998. The applicant is required to apply the requirements of the One Environmental System to the NEMA EIA, WML and WUL applications to ensure that the application processes are duly informed by one another.
- 4.11. Page 70 of the DSR states that "[A] Notice of Intend to Develop will be submitted to Heritage Western Cape (HWC), of which the HIA, inclusive of the palaeontological study, will form part as required in terms of the National Heritage Act, 1999." Please be advised that the Notice of Intent to Develop ("NID") should have been submitted to HWC when the application for environmental authorisation was submitted to the competent authority. The NID enables HWC to provide an initial indication of their heritage requirements. The Plan of Study for EIA indicates that a Desktop Palaeontological Study and a Phase 1 Heritage Impact Assessment ("HIA") will be undertaken by separate specialists during the EIR phase. This Directorate is concerned that the level of specialist assessment was determined without consultation with the provincial heritage resources authority and may require an amendment based on HWC's initial comments. Furthermore, HWC normally requires an Integrated HIA, Visual Impact Assessment and/or Paleontological Impact Assessment.
- 4.12. This Department's *Guideline for Involving Visual and Aesthetic Specialists in the EIA Process* dated June 2005 recommends the various levels of visual assessment for specific types of developments. Said guideline identifies quarries and mining activities with related processing plants as being a Category 5 development. The *Guideline for Involving Visual and Aesthetic Specialists in the EIA Process*

recommends a Level 4 Assessment for developments where a very high visual impact is expected. A Level 4 Assessment requires complete 3D modelling and simulations, with and without mitigation. As such, the proposed Landscape/Visual Impact Assessment should take cognisance of the Department's *Guideline for Involving Visual and Aesthetic Specialists in the EIA Process*.

- 4.13. The *Regulations regarding the planning and management of residue stockpiles and residue deposits from a prospecting, mining, exploration or production operation*, promulgated under section 69(1)(iA) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) as published in Government Notice No. R. 632 of 24 July 2015 must be consulted.
- 4.14. Should the application proceed to the EIR phase, further detail regarding the overburden/ waste rock stockpile area (± 137 ha) and tailings dam area (± 45 ha) must be provided. The various specialists must confirm whether the location of the proposed ancillary mining facilities is appropriate. Furthermore, the applicant and EAP must indicate why such large areas are required against the proposed opencast pit (± 37 ha) and whether smaller areas across the mining right area would not be more feasible.
5. Directorate: Development Management (Region 1) – Mr Kraigen Govindasamy (Email: Kraigen.Govindasamy@westerncape.gov.za; Tel.: (021) 483 3763):
 - 5.1. This Directorate notes that a mining right application was applied for in 2018 (previous reference WC 30/5/1/2/2/10110 MR). However, the executive summary does not include background information on the previous mining right application. It is therefore advised that the executive summary be amended to include background information on the previous mining right application and the concerns highlighted by interested and affected parties ("I&APs") during the previous public participation process ("PPP").
 - 5.2. This Directorate notes that the Moutonshoek Valley area has been declared as a Protected Environment under section 28(1)(a)(i) of the NEM: PAA, 2003 on 20 April 2018. According to Cape Farm Mapper, Portion 1 of Farm No. 297 and Portion 21 of Farm No. 76 is mapped to be located within the MPE. This Directorate **objects** to the proposed mining activity within a Protected Environment.
 - 5.3. Although the results of the Screening Tool Report have been included in the DSR, a copy of the Screening Tool Report has not been provided.
 - 5.4. A copy of the Site Sensitivity Verification Report to dispute and/or confirm the environmental sensitivities highlighted in the Screening Tool Report has not been provided.
 - 5.5. This Directorate notes that alternatives will be identified once specialist studies have been completed and will be reported on during the EIR phase. Appendix 2 of the NEMA EIA Regulations, 2014 (as amended) requires that a Scoping Report must contain a full description of the process followed to reach the proposed preferred activity, site and location of the development footprint within the site, including the details of all alternatives considered. Since reasonable and/or feasible alternatives have not been reported on in the DSR, the applicant is encouraged to scope areas of the proposed site that may not be suitable for the proposed mining area using desktop information that is available.

- 5.6. This Department's previous comment (dated 12 February 2019) has not been included in the DSR. The applicant is advised to include all comments received on the mining right application undertaken in 2018 and to respond to all comments received.
- 5.7. HWC's response to the NID must be included in the Final Scoping Report to be submitted to the competent authority for consideration. HWC's response to NID must be incorporated into the Plan of Study for EIA for the proposed Archaeological and Cultural Heritage Impact Assessment and related studies (if required).
- 5.8. Please be reminded that proof of the PPP undertaken must be included in the EIA Report to be submitted to the competent authority. The proof must include comments received from commenting authorities and from other I&APs, together with the EAP's responses to the comments.
- 5.9. The terms of reference for each assessment to be undertaken does not indicate whether the *Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Section 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation* ("the Protocols") or the requirements of Appendix 6 of the NEMA EIA Regulations, 2014 (as amended) is applicable. The terms of reference for each impact assessment to be undertaken must indicate whether the Protocols or Appendix 6 of the NEMA EIA Regulations, 2014 (as amended) is applicable.
- 5.10. Page 110 of the DSR indicates that *"In this circumstance, should the final Scoping Report be approved, the project specialists will require at least 180 days (after access to the properties was granted) to gather the relevant project information."* The DSR further indicates that *"Therefore, in total the EAP will require at least 270 days to prepare the final EIAR & EMPR."* Please note that in terms of regulation 23(1)(a) and (b) of the NEMA EIA Regulations, 2014 (as amended), the applicant must, within 106 days of acceptance of the Scoping Report, or, where regulation 21(2) applies, within 106 days of the date of receipt of the application by the competent authority, submit to the competent authority an EIA report inclusive of any specialist reports or notify in writing that the EIA report will be submitted within 156 days of receipt of the application by the competent authority. Clarification with respect to the applicable timeframe is therefore required. The previous scoping report was accepted by the competent authority on 03 April 2019 and hence regulation 21(2) does not apply as a new DSR has been released for comments.
6. Directorate: Biodiversity and Coastal Management – Mr Ryan Apolles (Email: Ryan.Apolles@westerncape.gov.za; Tel.: (021) 483 2817):
- 6.1. The proposed mining area falls within the boundaries of Moutonshoek Protected Environment, declared as such in terms of 28(1)(a)(i) of the NEM: PAA, 2003 and gazetted in Provincial Notice No. 56/2018 on 20 April 2018.
- 6.2. In terms of section 48 of the NEM: PAA, 2003, mining and prospecting activities are not permitted within a declared protected area. This therefore represents a fatal flaw to this application.
- 6.3. This Directorate **does not support** this application and recommends that the competent authority refuse the application.

7. Directorate: Waste Management – Mr Gary Arendse (Email: Gary.Arendse@westerncape.gov.za; Tel.: (021) 483 6307):
- 7.1. This Directorate is satisfied with the specialist studies proposed in the Plan of Study for EIA and has no further comments on the DSR.
8. Directorate: Pollution and Chemicals Management – Ms Nabeelah Achmat (Email: Nabeelah.Achmat@westerncape.gov.za; Tel.: (021) 483 8309):
- 8.1. The DSR includes the following statement: *"It must however be noted that the Applicant, Bongani Minerals (Pty) Ltd, held a prospecting right (WC 30/5/1/1/2/10197 PR) over the proposed mining right application area for tungsten (W) ore, molybdenum (Mo) ore, rare earths, copper ore, zinc ore, gold ore and silver ore that expired during December 2018. The area was therefore previously approved for prospecting related activities."* This Directorate disagrees with the intention of this statement and the inclusion thereof in this mining right application. A prospecting right, previously held, that has expired almost five years ago, should not be used towards motivation for the continued entitlement for exploration and mining activities within the area in the context that the biophysical receiving environment's significance is diminished. It is suggested that this statement is removed or reworded to ensure the objectivity of the DSR, and application process, is maintained. This Directorate **does not support** the development proposal.
- 8.2. *"The design details of the tailings storage facility and paste fill plant will be discussed in detail in the engineering service report and/or DEIAR"*, per page 26 of the DSR. Specific detail must be provided in the EIR phase to show how the design of the proposed tailings dam will prevent pollution of groundwater and surface water, as indicated on page 101. Measures to reinforce and prevent failure of the tailings dam must also be discussed, with reference to avoidance of a catastrophic event or release of potentially hazardous contaminants into the catchment.
- 8.3. Reference is made to a *"diesel depot"* (page 17) and diesel storage infrastructure (page 24), although specific information has not been provided on this aspect. Please clarify the total volume proposed to be stored on site, including the capacity of any individual tanks, whether above or below ground storage, containment measures, their location, and the type of associated infrastructure, including any facilities required for dispensing, even if mobile.
- 8.4. As referenced throughout the DSR, this Directorate notes that potential pollution impacts will only be identified and assessed in the EIR phase. This Directorate is of the opinion that potential pollution impacts can be broadly identified at this phase of the project, although it is understood that detailed investigation, assessment and mitigation falls within the EIR phase.
- 8.5. The West Coast is a water scarce region and has seen a steady decline in the annual rainfall for the region, including winter rainfalls. The DWS has commissioned a Reserve Determination Study to investigate and determine the ecological water requirements for catchments F60 and G30 within the Olifants-Berg Water Management Area. The scope of the study includes the determination, at a high level of confidence, of water quality and quantity required for maintaining rivers, estuaries and estuarine interface zones, including Verlorenvlei, a declared RAMSAR site. The direct impacts of surface and groundwater abstraction together with the cumulative impact of mining activities, degradation of watercourses, potentially polluted runoff and indirect impacts of streamflow diversion

will seriously compromise the downstream estuary system and overall water quality of the Krom Antonies River, further exacerbating the significant deterioration of water quality within Verlorenvlei. These potential direct, indirect and cumulative impacts, with respect to both water quantity and water quality, must be assessed as part of the application.

- 8.6. Given the above, the capacity of all proposed water storage dams and facilities on site (in addition to the tailings dam) must be clarified. Where will this water be sourced? Is abstraction from either groundwater or surface water required? What volume of abstraction is proposed? Will any water treatment be required on site? Have evaporation rates and losses been considered for water stored, particularly during the drier summer months?
- 8.7. Further to the above, what volume of water will the mining operations (including processing and treatment) require on a daily/weekly/monthly/annual basis over the duration of the 15-year lifecycle proposed? How will this water requirement be met year-round? Appendix 4 includes "makeup water" storage. What area will this cover and what is the capacity? Is this water proposed for use in the treatment process? If so, what volume of water is required during the treatment process? If not for the treatment process, please clarify the intention of "makeup water" depicted on the site layout plan.
- 8.8. Please clarify if the treatment process results in any effluent, and if so, the proposed management thereof.
- 8.9. It is noted that a potential use for the open cast mine post decommissioning is for water storage. Please note that the DWS is requested to provide comment on the feasibility of this proposal given the abovementioned Reserve Determination Study and constraints associated with the catchment. It must be noted that application must be made to the DWS, and the necessary approvals obtained prior to implementation of such a proposal.
- 8.10. Further to the above, the DSR notes that a WUL application will be made to the DWS. In terms of which provisions will application be made? It is requested that additional detail on this aspect is provided.
- 8.11. It is requested that Figure 26, relating to site-specific hydrology, be amended to accurately show all perennial and non-perennial watercourses and wetlands within the site. Based on a review of Cape Farm Mapper, it is evident that the proposed mining right area is traversed by several tributaries, drainage channels and dams, which are not represented in this diagram or within the DSR.
- 8.12. This Directorate notes the recommended specialists that will be appointed as part of the project team and supports that "A hydrologist will be contracted to undertake a comprehensive Aquatic Biodiversity and Hydrological Impact Assessment of the study area during the EIA process" and that "[T]he state of the groundwater (site specific) and the associated potential impact of the proposed mining development thereon will be assessed by a geohydrologist. The study will include, amongst others, a hydro census, chemical water analysis, and a geophysical investigation", as indicated on page 73 of the DSR. Groundwater is widely used for irrigation purposes and as a water source within the region and must be protected. It is essential that potential impacts on groundwater are assessed, and mitigation measures proposed to ensure groundwater is not negatively impacted upon by the proposed mining activities. The undertaking of geotechnical and hydrogeology specialist assessments in addition in the EIR phase are noted.

- 8.13. Further to the above, any change in the infiltration/recharge regime due to mining activities across an extensive area will indirectly impact watercourses and wetlands as would any water quality impacts on groundwater. This must be borne in mind during consideration of the application given significant concerns around water scarcity and quality in the region.
- 8.14. It is recommended that a site-specific Stormwater Management Plan ("SWMP") be compiled, as referred to on page 99. It is recommended that the SWMP is included in the EIR phase.
9. Directorate: Air Quality Management – Ms Palesa Mothiba / Mr Deon Stoltz (Email: Palesa.Mothiba@westerncape.gov.za; Tel.: (021) 483 2880):
- 9.1. This Directorate agrees with the specialist studies proposed in the Plan of Study for EIA, especially the inclusion of an Ambient Air Quality and Noise Impact Assessment, as well as the Socio-economic and Health Impact Assessment. The Health Impact Assessment should include detail on the impact of dust and noise on people and the surrounding environment.
- 9.2. This Directorate will provide further comment once the Draft EIA Report is received, should the competent authority accept the Final Scoping Report.

The Department reserves the right to revise or withdraw its comments and request further information based on any new information received.

Yours sincerely

Thea Jordan Digitally signed by Thea Jordan
Date: 2023.07.03 18:44:22
+02'00'

pp **HEAD OF DEPARTMENT**

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Letter signed by:

Thea Jordan

Director: Development Facilitation

Date: 3 July 2023

8.

**COMMENTS RECEIVED FROM MR MICHAEL
ROBERTS - INTERESTED AND AFFECTED PARTY**

Marlene van den Berg

From: MR Projects <mrprojects@mweb.co.za>
Sent: Monday, 03 July 2023 20:48
To: Greenmined Comments
Cc: marcec@mweb.co.za
Subject: re: Registration as an objector x 2 to New tungsten mine threat on the Cape West Coast ⚠️
Attachments: Dr Hayley Hayes-Roberts-Registration_as_objector_and_mandate_to_object_201230613.pdf; Mr Michael Roberts-Registration_as_objector_and_mandate_to_object_201230613.pdf
Importance: High

Att: Sonette Smit and Adv M Coetzee
Greenmined Environmental

Herewith registration as an objector forms x 2 relating to New tungsten mine threat at Mounonshoek

Regards,

Mr Michael Roberts
0724550350



Dr Hayley Hayes-Roberts
UCT CAS Postdoctoral Fellow
UCT Writing Centre Consultant
NIHSS Peer Mentor online
PhD in Design History UWC 2020

Centre for African Studies
Harry Oppenheimer Institute Building
Level 3 Engineering Mall Road
Upper Campus
WFH Office; 6 Silverlea Road, Wynberg,
Cape Town South Africa
Email: hayley.hayes-roberts@uct.ac.za /
hayleyhayes@mweb.co.za Tel-sms-
WhatsApp: +27 0827327522

From: Protect the West Coast [mailto:getinvolved@protectthewestcoast.org]
Sent: Thursday, 29 June 2023 17:35
To: Dr Hayley Hayes-Roberts <hayleyhayes@mweb.co.za>
Subject: New tungsten mine threat on the Cape West Coast ⚠️



A new tungsten mining application in the pristine mountains of Moutonshoek near Piketberg has been strongly opposed by local environmental group

Time is running out to stop another potential threat to the West Coast region, this time by a company that has applied to mine heavy minerals such as tungsten and molybdenum in the Moutonshoek catchment region near Piketberg in the Western Cape.

Aside from the opencast mining application, Bongani Minerals Pty Ltd has applied for an environmental authorisation and a waste licence to mine tungsten, molybdenum, rare earths, copper, zinc, gold, silver, tin, aggregate and sand from a 531 hectare area across two portions of the farm Namaquasfontein 76 RD.

In keeping with the speed and scary regularity of these applications, Protect the West Coast (PTWC) has only recently been notified of the application, which is now well into the 30 day window for public participation, which closes at 5 pm on July 3, 2023.



PTWC urges people with concerns, comments or objections to urgently register as Interested and Affected Parties (I&AP) before the above date. Full details below.

The news of the application comes via Friends of Verlorenvlei, a local community organisation who have mounted a strong challenge against Bongani Minerals. Friends of Verlorenvlei was set up several years ago to protect the fragile Verlorenvlei estuary in nearby Elands Bay and surrounding areas from mining and other ecological threats upstream.

They have outlined the potential threats from this mine, which to include water and farming, dust and contaminants, and noise and disruption. Over and above this, open cast tungsten mines usually require large areas of the landscape to be excavated, which undoubtedly will be a potential eyesore in an otherwise beautiful natural environment.

READ MORE

READ MORE

Register as Interested and Affected Party (I&AP) in objection to this proposed tungsten mine on the West Coast before July 3.

Download the Registration as objector and mandate to object_201230613 document here

Download the Registration as objector and mandate to object_201230613 document here

Download the Draft Scoping Report for the Riviera Mining Project here

Download the Draft Scoping Report for the Riviera Mining Project here

Download the Draft Social and Labour Plan for the Riviera Mining Project here

Download the Draft Social and Labour Plan for the Riviera Mining Project here

Download the DSR Notice for the Riviera Mining Project here

Download the DSR Notice for the Riviera Mining Project here

Download the Friends of Verlorenvlei objection document here

Download the Friends of Verlorenvlei objection document here

For further information contact Ms C. Fouché, Greenmined Environmental (Pty) Ltd.

Tel: 021 851 2673

Cell: 083 265 7755 Cell: 082 811 8514

E-mail: lionel@strata-africa.com Fax: 086 546 0579

christine.f@greenmined.co.za

~~..... June 2023~~
3rd July 2023

Greenmined Environmental
Somerset West,
7130

Per: Sonette Smit at comments@greenmined.co.za

CC: Adv M Coetzee per marcec@mweb.co.za

WC30/5/1/2/2/10171MR // BONGANI MINERALS (PTY) LTD// APPLICATION FOR A MINING RIGHT IN TERMS OF SECTION 22 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 TO MINE TUNGSTEN AND MOLYBDENUM ON PORTION 21 OF THE FARM NAMAQUASFONTEIN 76; THE REMAINING EXTENT OF PORTION 6 OF THE FARM NAMAQUASFONTEIN 76; AND PORTION 1 OF THE FARM NAMAQUASFONTEIN 297 IN THE MAGISTERIAL DISTRICT OF PIKETBERG

I, ~~Mr. Michael Hubert Roberts~~....., the undersigned and in my capacity as owner/legal occupant/resident of the property known as ~~..... Grootkraal, stand 44 Tweekuilen, Het Kruis....~~, hereby record my strongest objections against the above application and I insist on being registered as an interested and affected person.

My reasons for the objection include, but is not limited to, the fact that any mining operations shall have a detrimental and irreversible negative impact upon the promulgated protected environment, the intensive agricultural activities in the areas, the hydrology and aquifers, and the Krom Antonies and Verlorenvlei areas in general.

It is my request that the applications be refused by the relevant authority because of –

- the negative and detrimental impacts that any envisaged mining operations will have on the entire area, environmentally, socio-economically; the provision of water to the area and agriculturally;
- the fact that it will not be possible to satisfactorily mitigate any negative impacts on the area;
- the fact that no rehabilitative measures would prevent the degradation of the area and render it in the same position as it was before mining operations; and
- the undesirability of mining operations in the area.

I am aware of the fact that Adv Martin Coetzee will be submitting a detailed objection against the mining right application and the application for environmental authorisation, and I hereby give him a mandate to also object on my behalf and include my name in the list of objectors who he represents.

Kind regards

 Type text here

.....Junie 2023

Greenmined Environmental
Somerset Wes
7130

Per: Sonette Smit at comments@greenmined.co.za

CC. Adv M Coetzee per marcec@mweb.co.za

WC30/5/1/2/2/10171MR // BONGANI MINERALS (PTY) LTD// AANSOEK VIR 'N MYNREG IN TERME VAN ARTIKEL 22 VAN DIE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002. OM VIR TUNGSTEN EN MOLYBDENUM TE MYN OP GEDEELTE 21 VAN DIE PLAAS NAMAQUASFONTEIN 76; DIE OORBLYWENDE GEDEELTE VAN GEDEELTE 6 VAN DIE PLAAS NAMAQUASFONTEIN 76; EN GEDEELTE 1 VAN DIE PLAAS NAMAQUASFONTEIN 297 IN DIE DISTRIK VAN DIE MUNISIPALITEIT VAN PIKETBERG

Ek,, die ondergetekende en in my hoedanigheid as die eienaar/okkupeerder/ inwoner van die eiendom bekend as, wil hiermee my sterkste beswaar aanteken teen bogenoemde aansoek en dring ek daarop aan om as geïnteresseerde en geaffekteerde persoon geregistreer te word.

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Dit is my versoek dat die betrokke staatsinstelling die aansoek sal afkeur vir die volgende redes-

- die negatiewe en nadelige impakte wat die beoogde mynboubedrywighede sal hê op die hele gebied, wat betref die omgewing, die sosio-ekonomiese omstandighede, watervoorsiening aan die area en die landbou in die algemeen;
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- die feit dat geen voorgestelde rehabilitasie die verval van die omgewing sal kan voorkom nie, nog minder dit te herstel in dieselfde posisie wat dit was voor enige mynboubedrywighede; en
- die ongewenstheid van enige mynboubedrywighede in die gebiede.

Ek is daarvan bewus dat Adv Martin Coetzee 'n formele beswaar teen die aansoek om 'n mynreg en omgewingsgoedkeuring gaan indien en ek het verleen aan hom volmag om sodanige besware ook namens my in te dien en my in te sluit by die lys van beswaarmakers wat hy verteenwoordig.

Die uwe

..... ~~June 2023~~
3rd July 2023

Greenmined Environmental
Somerset West,
7130

Per: Sonette Smit at comments@greenmined.co.za

CC: Adv M Coetzee per marcec@mweb.co.za

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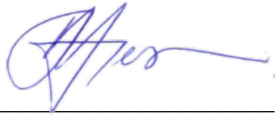
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Die uwe

-END OF PART 4-