

COMMENTS AND RESPONSE REPORT

**INVEST IN PROPERTY 84 (PTY) LTD APPLIED
FOR A MINING RIGHT WITHIN THE
LEJWELEPUTSWA MAGISTERIAL DISTRICT
OF THE FREE STATE PROVINCE**

REF NO: FS 30/5/1/2/2/10067 MR

DECEMBER 2018

PART 1 OF 2



NOTIFICATION OF APPLICATION TO STAKEHOLDERS DURING INITIAL PUBLIC PARTICIPATION PHASE

COMMENTING PERIOD: 1 NOVEMBER – 3 DECEMBER 2018

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Ms Gasela P/A Mr Thamela	Department of Economic Small Business Development, Tourism and Environmental Affairs (DETEA)	hod_office@detea.fs.gov.za	1 November 2018	No Comments Received
Mr Mwseoke P/A Ms Kekeletso	Department of Public Works and Infrastructure	hodoffice@fsworks.gov.za	1 November 2018	No Comments Received
Mr Mbana Peter Thabethe P/A Ms Mamphona	Department of Agriculture and Rural Development	pa.hodagric@fs.agric.za	1 November 2018	No Comments Received
Mr Nomfundo Douwjack Janine Janse v Rensburg	Department of Labour	nomfundo.douwjack@labour.gov.za	1 November 2018	No Comments Received
Mr SS Mtakati P/A Timbe	Department of Police, Roads and Transport	tsotsotsom@freetrans.gov.za	1 November 2018	No Comments Received
Mr TP Ntili	Department of Water Affairs & Sanitation	ntilit@dws.gov.za	1 November 2018	No Comments Received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Ndoda Mgengo	Lekwa-Teemane Local Municipality	mgengon@lekwa-teemane.co.za	1 November 2018	No Comments Received
Mr. Kelehile J Motlhale.	Tokologo Local Municipality	Municipalmanager@tokologo.gov.za	1 November 2018	No Comments Received
Mr George Nyamane	Tokologo Local Municipality - Ward Councillor Ward 4	geotha@webmail.co.za	1 November 2018	No Comments Received
Ms Palesa Kaota	Lejweleputswa District Municipality	mm@lejwe.co.za	1 November 2018	No Comments Received
Officer Environmental Management Earl Craig Daniels Me Rene du Bruin	Eskom	danielec@eskom.co.za dBruinER@eskom.co.za	1 November 2018	No Comments Received
Mr TJ Delpont	Dimension Grains CC Portion 0 (Remaining Extent) of the farm Greylingslyn 355	hettiedelpont@gmail.com	3 December 2018	
Register as an I&AP on 3 December 2018				
Mr F.J Bellingan	F.J Bellingan Trust Portion 1 of the farm Greylingslyn 355	bellconstruction2008@gmail.com	3 December 2018	

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Register as an I&AP on 3 December 2018				
Mr Louis Claasen	Seriso 654 (Pty) Ltd Portion 2 of the farm Greylinglyn 355	lhcjnr@hotmail.com	13 November 2018	3 December 2018
Register as an I&AP on 3 December 2018				
Belle Rive Properties (Pty) Ltd	Portion 0 (Remaining Extent) of the farm Van Aswegens Hoek 493 Portion 2 (Remaining Extent) of the farm Van Aswegens Hoek 493 Portion 4 of the farm Van Aswegens Hoek 493			
Conrad & Hester De Beer (Pty) Ltd	Portion 1 (Remaining Extent) of the farm Van Aswegens Hoek 493			
Dirk de Beer Trust	Portion 6 of the farm Van Aswegens Hoek 493			
Mr Marius Maritz	Bessieslaagte Trust Portion 7 (Remaining Extent) of the farm Bessies Laagte 328	bessieslaagtecta@gmail.com	27 November 2018	No Comments Received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Johan Smit	Portion 0 (Remaining Extent) of the farm Bessies Laagte 328	johan@tri-starneat.co.za	13 November 2018	No Comments Received
Mr GC Terblanche	GCT Trust Portion 11 (Remaining Extent) of the farm Bloemheuvl 327 Portion 12 (Remaining Extent) of the farm Bloemheuvl 327 Portion 13 of the farm Bloemheuvl 327	inaterblanche@hotmail.com	6 December 2018	No Comments Received
Mr SH Keyser	Portion 14 (Remaining Extent) of the farm Bloemheuvl 327	stephanskeyser70@gmail.com	13 November 2018	No Comments Received
Mr FW Keyser	Portion 15 (Remaining Extent) of the farm Bloemheuvl 327	johan.keyser@gmail.com	13 November 2018	No Comments Received
Mr Anthony Bartlett	Bloemheuvl Trust Portion 16 (Remaining Extent) of the farm Bloemheuvl 327	congregational@telkomsa.net	6 December 2018	No Comments Received
Mr PCF Swiegers	Portion 3 (Remaining Extent) of the farm Bloemheuvl 327	pietswiegers@gmail.com	6 December 2018	No Comments Received
Mr Juan Pieter Sonnenberg	Portion 0 (Remaining Extent) of the farm Diamant 631	elenasonnenberg1@gmail.com	19 November 2018	No Comments Received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Johan Claasen	Clisa 83 (Pty) Ltd Portion 6 of the farm Diamant 631 Portion 12 of the farm Diamant 631 Portion 13 (Remaining Extent) of the farm Diamant 631	wsmit66@gmail.com	13 November 2018	No Comments Received
Mr Ronnie Graven	Graven Wild (Pty) Ltd Portion 7 of the farm Diamant 631	lidagraven@yahoo.com	13 November 2018	No Comments Received
Mr Stanley de Beer	Portion 1 of the farm Kalkput 460		Signed	
Mr JF van der Merwe	Leeuheuwel Boerdery (Pty) Ltd Portion 2 (Remaining Extent) of the farm Overschot 496 Portion 1 of the farm Pontplaas 664	jf@lhboerdery.co.za		26 November 2018
Request minutes of Public Meeting held on 20 November 2018				
Mr William Easby	Pontriver Farming (Pty) Ltd Portion 0 (Remaining Extent) of the farm Pontplaas 664		Signed	

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
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Upload onto Sahriss on 5 November 2018

MINUTES OF THE PUBLIC MEETING HELD IN RESPECT OF THE PROPOSED MINING RIGHT APPLICATIONS TO BE SUBMITTED BY INVEST IN PROPERTY 84 (PTY) LTD AND INVEST IN PROPERTY 99 (PTY) LTD WITHIN THE LEJWELEPUTSWA MAGISTERIAL DISTRICT OF THE FREE STATE PROVINCE

Date: 20 November, 2018

Time: 18:00

Venue: The Christiana All Seasons Resorts, Rhino Conference Room, Christiana

Attendees:

NAME & SURNAME	ASSOCIATION	EMAIL	PHONE NUMBER
Lucas Lithoko (LL)	Community Member	N/A	071 700 3838
Sam Olifant (SO)	South African Community Organisation Chairperson	olifantsaml@gmail.com	063 441 2864 064 356 0744
FJ Bellingan (FB)	Affected property owner	Bellconstruction2008@gmail.com	-
TJ Delpport (TD)	Affected property owner	hettiedelpport@gmail.com	-
Henno van der Merwe (HvdM)	Affected property owner	lhb@lhboerdery.co.za	-
Kagiso Mohlamme (KM)	Greenmined Environmental	Kagiso.m@greenmined.cco.za	071 605 4115

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Christine Fouché (CF)	Greenmined Environmental	christine.f@greenmined.co.za	082 811 8514	
<p><u>OPENING</u></p> <p>Ms Christine Fouché (CF) from Greenmined Environmental welcomed the attendees and highlighted the purpose of the meeting.</p> <p><u>MEETING PRESENTATION</u></p> <p>CF continued with a PowerPoint presentation that elaborated on the following aspects with regard to the proposed mining right applications to be submitted by Invest in Property 84 (Pty) Ltd (IIP84) and Invest in Property 99 (Pty) Ltd (IIP99):</p> <ul style="list-style-type: none"> ▪ Agenda; ▪ Background Information; ▪ Project Information; ▪ Legal Requirements; ▪ Commenting Period; and ▪ Way Forward. <p>The attendees were encouraged to voice their comments/concerns regarding the proposed projects. CF indicated that Greenmined Environmental aims to consider the comments/concerns of all the parties affected and involved in the project. The meeting discussed various aspects related to the presentation and proposed mining right applications as listed below.</p> <p><u>RESPONSE TO PRESENTATION AND PROJECT PROPOSALS</u></p> <p><i>Prospecting Rights (PR's):</i></p>				

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<p>CF provided the <i>status quo</i> of the existing PR's held by IIP84 and IIP99 respectively, and mentioned that the prospecting rights were still valid until 12 June 2019 upon which the holders could apply for one renewal not exceeding 3 years.</p> <p>Mr FJ Bellingan (FB) indicated that IIP84 was issued with an Article 93 notice due to non-compliance. CF confirmed this statement and highlighted that no prospecting is taking place on the IIP84 prospecting right area. CF confirmed that prospecting is in progress at the IIP99 PR area.</p> <p>FB enquired what the options are when the PR expires.</p> <p>CF explained that the holder of the PR can either renew the PR or an application can be submitted for a mining right. The difference between a PR and MR was explained, and the role of the Mine Works Programme was elaborated on.</p> <p><i>Impacts of alluvial diamonds on the properties:</i></p> <p>FB illustrated how mining will require the removal of vegetation resulting in a highly negative impact on pastures, irrigated land, orchards and natural vegetation needed for farming. FB mentioned that most vegetation occurring in the area takes approximately 5-7 years to grow or recover, and thus vegetation removal will affect the operations of the affected properties. This must be taken into consideration throughout the study and mining operations. FB further noted that landowner consent must be negotiated with all landowners prior to the commencement of mining.</p> <p>CF confirmed this statement, and mentioned that the exclusion of mining in active agricultural areas must be stipulated as a condition of the landowner agreements. It was further mentioned that landowner consent is required in terms of the NEMA, and that a condition to this effect (exclusion of active agricultural areas) can be added to the Environmental Management Programme (EMPr) that becomes a legally enforced document upon approval of the Environmental Authorisation (EA). CF explained that the mining right holders will be subject to compliance inspections and are legally required to submit environmental performance reports to the DMR.</p> <p><i>Surveying of the land:</i></p>				

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<p>FB and Mr T.J. Delport (TD) indicated that mining must not take place on irrigated or active farming land. Such areas must be surveyed and strategically excluded from the mining areas. A map, with geographical coordinates must be produced indicating this.</p> <p>CF responded that the exclusion of active agricultural areas has to be included in the landowner consent to be signed by the landowner and respective applicant. The surveying of active agricultural areas was noted and will be addressed with the applicants. It was also noted that the exclusion of active agricultural areas can be added as a condition to the EMPr that will then become enforceable during the operational phase of the projects. It was further noted that should the MR be sold to another entity the conditions as listed in the EMPr and EA remains enforceable and the new party will still have to comply with it.</p> <p><i>Commodities to be mined:</i></p> <p>CF explained the proposed mining method and highlighted that the proposed mining right applications will be for alluvial diamonds, gold from placer deposits, and sand.</p> <p><i>Gold</i></p> <p>FB mentioned that gold was not part of the prospecting right application, and as such the mineral cannot be applied for during the mining right application.</p> <p>CF explained that the MPRDA allows an applicant the right to apply for commodities that he expects to be available within the proposed mining right area even if it was not applied for as part of a prospecting right. It was further explained that should gold be approved as part of the proposed mining right applications, it will allow the applicants to lawfully sell the mineral as and when recovered.</p> <p><i>Sand</i></p>				

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<p>CF indicated that sand recovered from the processing plants will be sold to the building industry within the area.</p> <p>An objection to the inclusion of sand as a commodity was lodged, and it was insisted that this mineral be removed from the proposed MR applications. The landowners indicated that sand forms part of their soil/agriculture livelihood, and should this be mined/sold it will negatively affect the refilling of excavations and agricultural potential of the properties both during- and post mining.</p> <p><i>Socio-Economic Impacts:</i></p> <p><i>Employment opportunities</i></p> <p>Mr Sam Oilfant (SO) questioned how the community of the area will benefit from the project.</p> <p>CF informed SO of the Social and Labour Plan (SLP), to be submitted as part of the MR applications, that identifies how the MR holder intends to “give back” to the community through employment and related matters. CF also indicated that the applicants need to identify Local Economic Development (LED) projects where the MR holders contribute an amount to the community from the income of the mining project. This document is valid for 5 years upon which it is eligible for renewal and the identification of another LED project.</p> <p>SO requested clarity whether the community will receive a percentage of the mining project.</p> <p>CF reiterated that the community will benefit from the mining projects through various aspects, such as but not limited to employment, bursaries, and internships as committed to in the SLP.</p> <p>SO mentioned that mining has taken place in the area however no locals were employed. SO further requested figures or percentages indicating how many local people will be employed.</p>				

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<p>CF reiterated that local residents will be employed, with special consideration given to the current employees of the prospecting operations. It was mentioned that, should the MR applications be approved, it will mean continued employment opportunities to the current local PR workers thereby contributing to their job security. Furthermore, CF highlighted that the applicants do not intend to mine the entire footprint all at once, but proposed to work a maximum of 3 sites for the IIP84 application, and 6 sites as part of the IIP99 application. In light of this the required workforce will correspond to the amount of operational sites at any given time.</p> <p>SO indicated that the mine should include both local general workers and local skilled employees.</p> <p>CF confirmed that skilled workers will be needed at the proposed operations, and highlighted that preference will be given to local residents as the use of local labour positively contribute to various aspects such as, but not limited to, the need for housing (foreign workers needs accommodation), logistics (transport and correspondence with of local residents is easier), and social (local residents does not have to leave their households and families).</p> <p><i>Black Economic Empowerment (BEE)</i></p> <p>SO requested that the details (name, contact details, residence etc.) of the BEE partner be given to the Interested and Affected Parties.</p> <p>CF confirmed that it is a departmental requirement that a BEE partner must form part of a mining right application, and alluded to the requirements of the new Mining Charter (30% shareholding to be allocated to BEE entities). The details of the BEE partner was not available at the meeting, but the request was added to the minutes to be provided to SO at a later stage.</p> <p><i>Mining method:</i></p> <p>CF provided an overview of the proposed mining method and mentioned that it will correspond to the current method of the prospecting activities. Mining will entail open cast strip mining, whereby topsoil is stripped and stockpiled on the side, followed by the excavation of a pit to access the</p>				

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<p>mineral. The diamondiferous gravel is transported to the processing area where it undergoes screening and is fed to the washing pans. The concentrate is deposited into locked steel bucket which is transported to the recovery plant where the diamonds are retrieved. Once the gravel in a specific pit is exhausted, the excavation is backfilled before another pit is opened. Upon final closure the entire footprint of the mining site (2 ha) will be rehabilitated before another site is established.</p> <p>Land use application:</p> <p>An enquiry regarding a land use application was raised.</p> <p>CF indicated that an independent town and regional planner was appointed to handle the applications in terms of the LUPA (Land Use Planning Act, 2014 (Act No 13 of 2014)). CF mentioned that the planner was in communication with the local municipality (Tokologo Local Municipality) to enquire about the region specific requirements. The attendees were ensured that all landowners will be contacted prior to the submission of any applications. Although the land use applications does not form part of EIA process, the LUPA requirement will briefly be discussed in the EIA reports.</p> <p>General issues</p> <p><i>Fencing</i></p> <p>The landowners appealed that mining areas and settling ponds must be fenced before commencement of operations to avoid safety incidents (such as people and animals falling into excavations or settling ponds). The fences must remain for as long as the settling ponds dry out. It was further requested that jackal proof fencing be used, as animals can enter through normal barbed wire fencing.</p> <p>The fencing of operational mining areas was noted and will be addressed with the applicants.</p> <p><i>Closure plan and rehabilitation</i></p>				

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<p>FB questioned whether rehabilitation will take place.</p> <p>CF explained that rehabilitation activities will include removal of all infrastructures, refilling of excavations, landscaping and seeding of each 2 ha mining area upon closure. No new excavations will commence until rehabilitation and closure of the previous excavations are completed. It was mentioned that seeding is season depended, and may have to be postponed to ensure the best possible results. An area will however not be deemed rehabilitated until all refilling and seeding took place. The rehabilitation actions will be detailed in a closure plan to be approved as part of the proposed mining right applications.</p> <p>Upon final closure, the applicants has to apply for closure certificates (in terms of the MPRDA) that will not be issued until DMR confirmed and approved the rehabilitation of all disturbed areas. It was also noted that DMR will require the signing of a landowner indemnity form, prior to issuing a closure certificate that specifically asks the landowners opinion with regard to the rehabilitation of the affected areas on his property.</p> <p><i>Electricity use</i></p> <p>The meeting was informed that electricity will be provided by means of generators.</p> <p><i>Water use</i></p> <p>TD asked where water needed for the project will come from.</p> <p>CF indicated that potable water will be obtained from the boreholes on the properties upon agreement with the landowners. Process water will exclusively be obtained from the Vaal River. CF mentioned that the applicants will apply for a Water Use Licence (WUL) from the Department of Water and Sanitation (DWS) prior to water use.</p> <p><i>Resource calculation and timeframes</i></p>				

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<p>FB requested that the calculation of the resource be provided, as well as an explanation as to why the mining rights must be valid for 30 years. FB further mentioned that the 30 year timeframe is too long for mining considering the impacts on farming. It was noted that the resource calculation must justify the proposed 30 year timeframe.</p> <p><i>Sorting of product</i></p> <p>SO questioned whether the concentrate can be sorted on site and not at the offsite Schweizer-Reneke recovery plant, as an offsite sorting unit doesn't allow control of the amount of minerals recovered. A request was raised that a local sorting station be erected instead of material being removed from the properties.</p> <p>FB indicated that at least one <i>Sortex</i> station per application must be erected within the vicinity of the operations.</p> <p><i>Roads</i></p> <p>FB highlighted that the current prospecting operation generates a lot of dust, and no dust suppression is implemented.</p> <p>CF noted that dust suppressions requirements will be added to the EMP, to be enforced during the operational phase of the proposed mining projects.</p> <p><i>Specialist Studies</i></p> <p>CF listed the specialists that will form part of the project team and explained their respective roles;</p> <ol style="list-style-type: none"> 1. Archaeologist to compile the Heritage Impact Assessment, 2. Palaeontologist to inform on the palaeontological significance of the area; 3. Hydrologist that will report on the water related matters as required in terms of the WUL application. 				

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<p>CF informed the attendees of the legal requirements associated with the proposed MR applications and highlighted the prescribed EIA process (in terms of the NEMA and the Mineral and Petroleum Resources and Development Act (MPRDA). Preliminary dates were estimated to explain legislated timeframes.</p> <p><u>WAY FORWARD</u></p> <p>The proposed way forward was explained, and attendees were asked for assistance with contact details of the following surrounding landowners who could, to date, not be located:</p> <ul style="list-style-type: none"> ▪ Haib System Trading – Catharina 44/0 & 8 ▪ Submac Plant CC – Onrust 332/0 ▪ PJ Roos – Uitkyk 342/2 ▪ Abwema Boerdery – Cawoods Hope 324/4 ▪ JR Familie Trust – Cawoods Hope 324/0 & 3, Goede Hoop 331/12 ▪ H Esterhuyse – Buitenhoop 333/1 ▪ PJ Esterhuyse – Buitenhoop 333/2 ▪ Sanet Nel Trust – Pandam 467/3 ▪ B&B Eiendomme – Pandam 467/5 ▪ Uys Familie Boerdery – Ganna Vlakte 19/0 ▪ Bessieslaagte Trust – Bessies Laagte 328/7 ▪ GCT Trust – Bloemheuvel 327/11 & 12 & 13 ▪ Bloemheuvel Trust – 327/16 ▪ PCF Swiegers – Bloemheuvel 327/3 ▪ Johan Claasen – Diamant 631/6 & 12 & 13 				

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<ul style="list-style-type: none"> ▪ Michiel van de Venter Testamentere Trust – Kalkput 460/0 ▪ Leeuheuvel Boerdery – Overshot 496/2, Pontplaas 664/1 <p>Mr Henno van der Merwe (HvdM) confirmed that he represented Leeuheuvel Boerdery on behalf of his father, and assisted with the contact details of the following entities:</p> <ul style="list-style-type: none"> ▪ H Esterhuyse – Buitenhoop 333/1 ▪ PJ Esterhuyse – Buitenhoop 333/2 ▪ Johan Claasen – Diamant 631/6 & 12 & 13 (Wesley contact number) ▪ Michiel van de Venter Testamentere Trust – Kalkput 460/0 <p>FB enquired whether all their comments must be submitted by 3 December 2018.</p> <p>CF explained that interested and affected parties only need to register by 3 December 2018, as this will ensure their continued participation throughout the EIA process. Once registered the I&AP's will be afforded an opportunity to comment on the draft Scoping Report as well as the draft Environmental Impact Assessment Report where written comments could be submitted over a 30-days commenting period (per document).</p> <p>CF confirmed that all attendees will be registered as interested and affected parties on the project, and that the minutes of the meeting as well as a copy of the meeting presentation will be distributed to all present.</p> <p>The attendees were thanked for their presence and the meeting was adjourned.</p> <p><u>ACRONYMS</u></p> <p>BEE Black Economic Empowerment CF Christine Fouché</p>				

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
DSR	Draft Scoping Report			
DWS	Department of Water and Sanitation			
EA	Environmental Authorisation			
EIA	Environmental Impact Assessment			
EIA	Environmental Impact Assessment			
EMPr	Environmental Management Programme			
FB	FJ Bellingan			
HvdM	Henno van der Merwe			
IIP84	Invest in Property 84 (Pty) Ltd			
IIP99	Invest in Property 99 (Pty) Ltd			
LED	Local Economic Development			
LUPA	Land Use Planning Act, 2014 (Act No 13 of 2014)			
MPRDA	Mineral and Petroleum Resources and Development Act (Act 28 of 2002)			
MR	Mining Right			
NEMA	National Environmental Management Act (Act no 107 of 1998)			
PR	Prospecting Right			
SLP	Social and Labour Plan			
SO	Sam Olifant			
TD	TJ Delpont			
WUL	Water Use Licence			

SUMMARY OF PARTICIPATION PROCESS

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

- telephonic discussions,
- direct communication with notification letters,
- placement of on-site notices, and
- placement of advert in Bloemnuus on 1 November 2018
- site meeting held on 02 November 2018

See attached Proof of Public Participation Part 1 of 2 as proof of the correspondence with the I&AP's and stakeholders during the Public Participation Process.