

SEBOWAY (PTY) LTD

**PROPOSED MINING OF MARBLE (DIMENSION STONE),
LIMESTONE, DIMENSION STONE (GENERAL), 4.9 HA ON A
PORTION OF PORTION 3 OF THE FARM WELVERDIEND NO
511 MAGISTERIAL DISTRICT OF VANRHYNSDORP
WESTERN CAPE PROVINCE**

COMMENTS AND RESPONSE REPORT

REF NO: WC 30/5/1/3/2/10284 MP

NOVEMBER 2021



NOTIFICATION OF STAKEHOLDERS AND I&AP'S OF A MINING PERMIT APPLICATION

COMMENTING PERIOD: 25 OCTOBER – 26 NOVEMBER 2021

SEBOWAY (PTY) LTD applied for a Mining Permit for mining of marble (Dimension stone), Limestone, Dimension stone (general), 4.9 ha on a portion of portion 3 of the farm Welperdiend no 511 magisterial district of Vanrhynsdorp Western Cape Province

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr Ismat Adams	CapeNature	25 October 2021	25 November 2021
<p>Response from CapeNature</p> <p>CapeNature would like to thank you for the opportunity to comment on this application. Herewith our comments on this application.</p> <p>1. It is understood that both site alternatives occur in an area that is an old quarry stockpile. Given this, and as indicated by the botanical and terrestrial biodiversity compliance statement the site is highly degraded with only portions of indigenous vegetation that has regrown between the old quarry remnant stockpiles. This vegetation according to the botanical survey is dominated by alien invasive shrubs. Further to this, no botanical species of conservation concern were identified during the botanical survey. The site itself is not mapped as ESA as per the WCBSP, except for a small patch of vegetation. This patch was reported as being degraded according to the botanical survey. The site is surrounded by ESA as per the WCBSP. The vegetation that will be impacted is Vanrhynsdorp Gannabosveld.</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>2. Vegetation types of the Knersvlakte are known for their high diversity and endemism. We therefore agree with the botanical assessment that a follow-up survey in early spring is necessary to determine if any SCC are present, which will also change the site sensitivity from low sensitivity (as currently assessed) to high sensitivity. An updated/revised botanical assessment should be provided to relevant commenting authorities for review before a decision is made on the application, as the revised botanical assessment will have bearing on the feasibility of the development from a biodiversity perspective, as no-go areas may need to be demarcated.</p> <p>Search and rescue for SCC is only appropriate for a few individuals, depending on the conservation status of the species. Search and rescue of endangered and critically endangered species is highly unfavourable and would only be considered if a few individuals would need to be translocated and if there is sufficient evidence of translocation success rate of the species in question. Evidence of translocation methodology success rate is necessary for all translocation plans to inform on the risk of translocation failure. Without sufficient evidence of translocation success rate, translocation of endangered or critically endangered species will not be supported and the sub-populations of such populations must be demarcated as no-go areas. Translocation plans developed must be sent to relevant commenting authorities prior to decision on this application. Our comments here regarding translocation also apply to point 3 below.</p> <p>3. The provincially protected, least concern species identified in the botanical assessment may be translocated. Translocation must be in-situ in areas adjacent to the locality of the population of these plants. A botanical specialist must develop and implement a translocation plan that includes the assessment of suitable receptor sites in relation to resource competition and genetic integrity constraints. The methodology of translocation must also be stipulated in the translocation plan, including methodology for removing the plants, storage, and relocation methodology. If storage is required, storage of relevant plant parts or entire plants for relocation must be done in an environmentally controlled environment such as a herbarium or nursery environment to control pest (insect and rodent) mortality.</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>4. The preferred alternative (alternative 1 in the botanical and terrestrial biodiversity compliance statement) is the most favourable, especially as it avoids the drainage line in the application area.</p> <p>5. The rehabilitation plan needs to include specific methods to rehabilitate the vegetation type affected, including the timing of storage of topsoil, as topsoil cannot be left for a year and expected to still be viable, as the success of rehabilitation drops markedly the longer topsoil is stored as the seedbank becomes inviable. The rehabilitation plan must also indicate the precedent, by example, in the landscape of successful rehabilitation of the vegetation type affected. This can be done by consulting botanical specialists familiar with the region. The rehabilitation plan must be compiled by a botanical specialist to ensure that the rehabilitation methodology is sound and must indicate the rehabilitation potential of the vegetation type affected.</p> <p>CapeNature would like to thank you for the opportunity to comment on this application. Herewith our comments on this application.</p> <p>1. It is understood that both site alternatives occur in an area that is an old quarry stockpile. Given this, and as indicated by the botanical and terrestrial biodiversity compliance statement the site is highly degraded with only portions of indigenous vegetation that has regrown between the old quarry remnant stockpiles. This vegetation according to the botanical survey is dominated by alien invasive shrubs. Further to this, no botanical species of conservation concern were identified during the botanical survey. The site itself is not mapped as ESA as per the WCBSP, except for a small patch of vegetation. This patch was reported as being degraded according to the botanical survey. The site is surrounded by ESA as per the WCBSP. The vegetation that will be impacted is Vanrhynsdorp Gannabosveld.</p> <p>2. Vegetation types of the Knersvlakte are known for their high diversity and endemism. We therefore agree with the botanical assessment that a follow-up survey in early spring is necessary to determine if any SCC are present, which will also change the site sensitivity from low sensitivity (as currently assessed) to high sensitivity. An updated/revised botanical assessment should be provided to relevant commenting authorities for review before a decision is made on the application, as the revised botanical assessment will have bearing on the feasibility of the development from a biodiversity perspective, as no-go areas may need to be demarcated.</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Search and rescue for SCC is only appropriate for a few individuals, depending on the conservation status of the species. Search and rescue of endangered and critically endangered species is highly unfavourable and would only be considered if a few individuals would need to be translocated and if there is sufficient evidence of translocation success rate of the species in question. Evidence of translocation methodology success rate is necessary for all translocation plans to inform on the risk of translocation failure. Without sufficient evidence of translocation success rate, translocation of endangered or critically endangered species will not be supported and the sub-populations of such populations must be demarcated as no-go areas. Translocation plans developed must be sent to relevant commenting authorities prior to decision on this application. Our comments here regarding translocation also apply to point 3 below.</p> <p>3. The provincially protected, least concern species identified in the botanical assessment may be translocated. Translocation must be in-situ in areas adjacent to the locality of the population of these plants. A botanical specialist must develop and implement a translocation plan that includes the assessment of suitable receptor sites in relation to resource competition and genetic integrity constraints. The methodology of translocation must also be stipulated in the translocation plan, including methodology for removing the plants, storage, and relocation methodology. If storage is required, storage of relevant plant parts or entire plants for relocation must be done in an environmentally controlled environment such as a herbarium or nursery environment to control pest (insect and rodent) mortality.</p> <p>4. The preferred alternative (alternative 1 in the botanical and terrestrial biodiversity compliance statement) is the most favourable, especially as it avoids the drainage line in the application area.</p> <p>5. The rehabilitation plan needs to include specific methods to rehabilitate the vegetation type affected, including the timing of storage of topsoil, as topsoil cannot be left for a year and expected to still be viable, as the success of rehabilitation drops markedly the longer topsoil is stored as the seedbank becomes inviable. The rehabilitation plan must also indicate the precedent, by example, in the landscape of successful rehabilitation of the vegetation type affected. This can be done by consulting botanical specialists familiar with the region. The rehabilitation plan must be compiled by a botanical specialist to ensure that the rehabilitation methodology is sound and must indicate the rehabilitation potential of the vegetation type affected.</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>6. The importance of stormwater management is highlighted and the need for a stormwater management plan (SWMP) is indicated but a SWMP for the construction and operational phase has not been provided. A SWMP for the site must be developed and in place for implementation before development commences, and ideally before FBAR is submitted.</p> <p>7. A groundwater assessment should be conducted to determine the impact of the mine on groundwater, as this is an arid environment with water sources most likely recharged by groundwater. The groundwater assessment should be submitted to I&APs for comment prior to FBAR being submitted.</p> <p>8. Regarding environmental auditing - the implementation of the rehabilitation plan must also be audited to provide assurance and be submitted to relevant commenting authorities such as CapeNature.</p> <p>9. The mining applicant of the old quarry is responsible for the highly degraded biodiversity on site. This quarry should have been rehabilitated and a closure certificate obtained. The competent authority needs to take necessary action against the previous applicant regarding the failure of rehabilitation of the site.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>
			<p>Response from Greenmined Environmental</p> <p>The comments numbered 1-5 are noted and was referred to the botanist who conducted the Botanical Assessment please see her response to your comments below</p> <p>1. In terms of comment no. 2 from CapeNature:</p> <p>(a) The likelihood of any SCC's occurring in the proposed mining permit area is low</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>(b) Even if SCC's are to occur on site, the likelihood of the site supporting significant populations or sub-populations of these species are also low.</p> <p>(c) As per the Botanical Assessment & CapeNature's comments, a follow-up survey will need to be conducted in early spring (August 2022) to confirm that there are no SCC's present</p> <p>(d) Thus no construction or operation (i.e. mining) would be allowed before this follow-up survey is conducted in early spring.</p> <p>(e) Keep in mind that should significant populations or sub-populations be found on site, these areas (and a suitable buffer) will most likely be demarcated as 'no-go' areas, and these portions may not be mined or used for mining-related purposes or infrastructure</p> <p>(f) If few individuals of SCC's are to be found on site and if there is sufficient evidence of translocation success rate of the species in question, Search and Rescue must be done for these individuals.</p> <p>2. We agree that the following plans will need to be developed for the proposed mining permit before construction or operation (i.e. mining) may commence:</p> <p>(a) Stormwater Management Plan</p> <p>(b) Rehabilitation Plan (and accompanying method statements)</p> <p>(c) Translocation Plan (and accompanying method statements)</p> <p>2.1. Once the follow-up botanical survey has been conducted, the Botanical Assessment & Translocation Plan can be updated. The updated plans can then be sent to the Competent Authority & CapeNature.</p> <p>2.3. As per points 1 (a) & (b), the chances of finding significant populations or sub-populations of SCC's on site is low, it is thus recommended that the Competent Authority continue to issue a decision on the application, on condition that points 1 (c) – (f); 2 (a) – (c) and 2.1 be included as conditions in the EA & EMP.</p> <p>The above comment is noted and will be incorporated in the Final Basic Assessment Report as a condition that a SWMP should be implemented prior to commencement of any activity will be added as a condition.</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Comments was also requested from Department of Water Affairs and no further studies was deemed necessary however the above comment is noted and will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.</p> <p>The above comment is noted and will be adhered to.</p> <p>The above comment is noted</p> <p>All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.</p>			
<p>Response from CapeNature</p> <p>I am satisfied with the responses. We will await the updated botanical survey, translocation plan and rehabilitation plan.</p>			
<p>Response from Greenmined Environmental</p> <p>Noted thank you</p>			
Head of Department	Cape West Coast Biosphere Reserve	25 October 2021	No Comments Received
Me N Lutendo	Department of Agriculture Land Reform, Rural Development	25 October 2021	28 October 2021

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Department of Agriculture Land Reform, Rural Development request an electronic copy			
Electronic copy was send to Department of Agriculture Land Reform, Rural Development on 4 November 2021			
Me Adri LaMeyer	Department of Environmental Affairs and Development Planning	25 October 2021	22 November 2021
<p>Response from Department of Environmental Affairs and Development Planning – 22 November 2021</p> <p>Dear Madam</p> <p>1. The Draft Basic Assessment Report dated 25 October 2021, received by the Department of Environmental Affairs and Development Planning Directorate: Waste Management (hereafter referred to as “the Department”), refers.</p> <p>2. The information given in the EMP on waste management on page 260 has references. It is recommended that the following additional measures (see below) be put in place and adhered to during the development, operational and rehabilitation phases of the proposed development.</p> <p>These measures must also be indicated in the Environmental Management Plan/Waste Management Plan:</p> <ul style="list-style-type: none"> • Awareness raising is important in minimising waste and should be included in the waste management plan to be developed as indicated on page 262. It is therefore important to focus on raising awareness on the separation of waste so that all staff, contractors, and visitors can practice separating their waste at source and taking into consideration that colour coded bins with clear signs will be available on site. This will improve the management of general and hazardous materials generated onsite. Separated waste such as recyclables can be sent or alternatively collected by a recycler for processing. 			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<ul style="list-style-type: none"> • Effluents containing oil, grease, or other industrial substances to be collected in a suitable receptacle and removed from the site, this type of waste must still be treated as hazardous waste, contained, and disposed of at an appropriate hazardous waste facility and/or alternatively used oil collected and removed responsibly by the ROSE Foundation for recycling. • It is recommended that visible signage is provided to curb any littering and illegal dumping from occurring on site. • As part of the invasive plant management plan (refer to Appendix J) used to control all invasive species on the proposed site, any cleared unused vegetation and possibly eradicated invasive alien species together with all other green waste generated on site must be beneficiated e.g possibly sent to a composting facility. • Where feasible, the usage of construction waste generated on site must be maximised. Residual waste must be sent to an appropriate waste disposal facility or beneficiation facility. The applicant can source a copy of the guideline on the management of C&D waste from the Directorate: Waste Management at DEA&DP. The contact person is Dean Gilbert Tel: 021 483 8336. <p>3. The Directorate reserves the right to revise its initial comments and request further information based on any new information received.</p>			
<p>Response from Greenmined Environmental:</p> <p>Your comments submitted 22 November 2021 has reference.</p> <p>All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.</p> <p>We thank you for taking part in this public participation process, you will be notified as soon as a decision has been taken by DMRE with regard to this application.</p> <p>We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties.</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Response from Department of Environmental Affairs and Development Planning – 29 November 2021</p> <p>The above matter as well as letter received from you dated 26 November 2021 received 29 November 2021 refers. Please see responses to your comments listed below:</p> <p>The e-mail correspondence of 25 October 2021 regarding the availability of the Draft Basic Assessment Report (“BAR”) for comment refers. Please find consolidated comment from various directorates within the Department on the Draft BAR and associated Environmental Management Programme (“EMPr”) dated October 2021 that was downloaded from the website of the environmental assessment practitioner (“EAP”). Kindly disregard the comments from the Directorate: Waste Management sent directly to the EAP on 22 November 2021 as these comments were sent in error.</p> <p>1. Directorate: Development Management (Region 1) – Mr Bernard Kgosana</p> <p>1.1. The Draft BAR indicates that an existing quarry, previously used for the mining of marble, will form part of the proposed mining area. A detailed description of the existing quarry must be provided.</p> <p>1.2. Furthermore, an indication of when the existing quarry was developed must be provided, and an indication of whether any approvals have been obtained for the existing quarry must be provided.</p> <p>1.3. The depth of the proposed mine must be provided as this will determine whether impacts to groundwater resources are anticipated.</p> <p>1.4. The 21-digit Surveyor General code of the proposed site must be provided.</p> <p>1.5. This Directorate notes that a prospecting right application for the prospecting of marble, limestone and dimension stone on Portion 3 of Farm No. 511, Vanrhynsdorp has been lodged with the relevant competent authority (reference WC 30/5/1/1/2/10375 PR). The proposed prospecting area includes the proposed mining area. Although the applicants for the prospecting and mining permit applications are different, it appears that the applicants may be linked since the contact details (address, telephone number and email address) for the applicants are the same. Clarification is therefore required.</p> <p>1.6. In addition, the Draft BAR dated October 2021 does not report on the proposed prospecting activities on the proposed site and therefore does not report on the cumulative impacts associated with the prospecting and mining activities proposed on the same site. The cumulative impacts must therefore be reported on.</p> <p>1.7. The Draft BAR indicates that an existing water authorisation is in place, should water be required for the proposed mine. A copy of the water authorisation must be included in the Final BAR. (In this regard please also refer to paragraph 2.1. below.)</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>1.8. The comments from Heritage Western Cape (“HWC”) in response to the Notification of Intent to Develop must be included in the Final BAR. Please note that if any studies are requested by HWC, these studies must be included a Revised BAR with the required specialist assessment(s) that must be circulated to registered interested and affected parties for commenting purposes.:</p> <p>1.9. Page 63 of the Draft BAR indicates that the commenting period ends on 22 November 2021. Please correct this error. (In this regard, please also refer to paragraph 4.1. below.)</p> <p>1.10. Proof of the public participation process undertaken must be included in the Final BAR to be submitted to the competent authority for decision-making</p> <p>1.11. The following comments regarding the EMPr (Part B of the Draft BAR) are offered:</p> <p style="padding-left: 40px;">1.11.1. It is advised that the EMPr be dated and contain a cover page, which includes the property description and the competent authority’s reference number, since the EMPr must be kept on the proposed mining area.</p> <p style="padding-left: 40px;">1.11.2. All areas outside of the mining area must be regarded as “no-go” areas.</p> <p style="padding-left: 40px;">1.11.3. Appropriate penalties for transgressions should be stipulated in the EMPr.</p> <p>2. Directorate: Pollution and Chemicals Management – Ms Shehaam Brinkhuis</p> <p>2.1. Reference is made throughout the Draft BAR and EMPr to “an existing water authorisation” should water be required during site operations and mining, such as for dust suppression when alternative methods are deemed inadequate. It is recommended that additional information relating to the existing water authorisation, along with proof thereof, is provided with the Final BAR.</p> <p>2.2. The use of chemicals should be controlled and employees handling potentially hazardous chemicals should be adequately trained. All potentially hazardous materials must be handled, stored and transported in strict accordance with the material safety data sheets associated with the specific chemical.</p> <p>3. Directorate: Waste Management – Ms Yonela Makabeni</p> <p>3.1. The activities and mitigation measures regarding waste management in the EMPr has reference. It is recommended that the following additional measures be included in the EMPr and adhered to during the development, operational and rehabilitation phases of the proposed development. These measures must also be included in the Waste Management Plan as recommended in the EMPr:</p> <p style="padding-left: 40px;">3.1.1. Awareness raising is important in minimising waste and should be included in the Waste Management Plan to be developed, as indicated in the EMPr. It is therefore important to focus on raising awareness on the separation of waste so that all staff, contractors and visitors can</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>implement waste separation at source. If possible, colour coded bins with clear signs will improve the management of general and hazardous materials generated on-site. Separated waste such as recyclables can be transported or collected by a recycler for processing.</p> <p>3.1.2. Effluents containing oil, grease or other industrial substances should be collected in a suitable receptacle and removed from the mining area. This type of waste must be treated as hazardous waste, contained, and disposed of at an appropriate hazardous waste management facility.</p> <p>3.1.3. It is recommended that visible signage is provided to curb any littering and illegal dumping from occurring on-site.</p> <p>3.1.4. As part of the Alien Invasive Plant Management Plan (Appendix J) used to control all invasive plant species on the proposed site, any cleared, unused vegetation and eradicated invasive alien plant species should be beneficiated, e.g., possibly sent to a composting facility.</p> <p>4. Directorate: Development Facilitation – Mr Ralph van Delin</p> <p>4.1. Please correct the timeframes on page 63 of the Draft BAR, which refers to a “30-day commenting period, ending 22 November 2021.” The commenting period ends on 26 November 2021.</p> <p>4.2. It is noted that Activity 28 of Listing Notice 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) Environmental Impact Assessment (“EIA”) Regulations, 2014 (as amended) is applied for. Per the Draft BAR, the proposed mining area will be over a disturbed area of the farm previously used for mining: “The surface area of the proposed mining permit is currently used as a stockpile for the marble. The mining footprint thus has been affected by the marble mine’s activities across the surface area.” This Directorate draws the attention of the EAP to the exclusionary clause in Activity 28 (“excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes”), which may result in said activity to not be applicable to the proposed mining activities.</p> <p>4.3. Furthermore, Activity 12.i.ii of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended) has been applied for (related to the clearance of an area of 300m² or more of indigenous vegetation within critical biodiversity areas identified in bioregional plans). It is however noted that the preferred site Alternative 1 is in an Ecological Support Area (“ESA”) 1 with Alternative 2 located in an ESA 1 and 2. This Directorate therefore questions the applicability of Activity 12 to the proposed mining activities as vegetation clearance will not occur in a critical biodiversity area.</p> <p>5. Directorate: Air Quality Management – Mr Deon Stoltz</p> <p>5.1. It is noted in the Draft BAR that the proposed mining area will be 4.9ha in size. Since dust may be created from excavated areas and heavy vehicles and equipment operating on-site, measures to monitor and prevent fugitive dust emissions as addressed in the EMP_r must be strictly enforced.</p> <p>5.2. The noise monitoring and management mitigations measures included in the EMP_r are noted and supported for implementation.</p> <p>5.3. Potential emissions in the form of dust pollution, exhaust fumes from vehicles and machinery, as well as potential noise pollution must be monitored, and if causing significant emissions, must be strictly mitigated as per the recommendations stipulated in the EMP_r.</p> <p>6. The applicant is reminded of its “general duty of care towards the environment” as prescribed in section 28 of the NEMA, 1998 which states that “Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”			
<p>Response from Greenmined Environmental:</p> <ul style="list-style-type: none"> ■ Comment noted, ■ Please refer to Appendix C2 - Plan indicating Existing disturbed area. ■ Greenmined as well as the applicant cannot answer for past activities taking place on the property as the companies only become involved with the recent applications for prospecting and mining of for Limestone, Dimension Stone and Marble on the property. ■ The proposed depth of the mining activities is maximum 30m ■ The 21-digit Surveyor General code was included on page 23 of the DBAR, for ease of reference again included below: C0780000000051100003 ■ Kindly note that the proposed mining permit area has been specifically excluded from the prospecting right application area. It should be noted that some of the directors of both entities are the same, hence the contact details for the applications being the same, although the entities are not linked. ■ Comment noted, as the prospecting activities will be non-invasive it is not foreseen that the simultaneous mining and prospecting of the area will generate cumulative impacts that can be assessed. ■ Comment noted, please refer to Appendix U Existing Water Use Authorisation ■ Please refer to page 86 – 87 of the FBAR for comments received from HWC, for ease of reference also copied below: NOTIFICATION OF INTENT TO MINE LIMESTONE, STONE AND MARBLE ON PTN 3 FARM 511 WELVERDIEND, VAN RHYNSDORP, SUBMITTED IN TERMS OF SECTION 38(4) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) CASE NUMBER: 21091511AM1022E The matter above has reference. Heritage Western Cape is in receipt of your application for the above matter received. This matter was discussed at the Heritage Officers Meeting held on 4 November 2021. 			

STAKEHOLDERS

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
-------------------------	------------------------------------	----------------	-------------------

You are hereby notified that, since there is no reason to believe that the proposed mining of limestone, stone and marble on ptn 3 farm 511 Welverdiend Van Rhynsdorp, will impact on heritage resource, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay. This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority. HWC reserves the right to request additional information as required. Should you have any further queries, please contact the official above and quote the case number.

- █ Thank you for pointing out this error, this will be corrected in the FBAR.

- █ Comment noted this will be implemented and adhered to, please refer to Appendix G2 Proof of Public Participation (PLEASE NOTE - For distribution to DMRE only)
- █ Please refer to page 246 of the DBAR for the cover page which includes the property description and the competent authority's reference number that was included.
- █ Comment noted this will be implemented and adhered to, please also refer to page 140 and 253 of the DBAR where it is clearly stated that "The mining boundaries must be clearly demarcated and all operations must be contained to the approved mining area. The area outside the mining boundaries must be declared a no-go area, and all staff must be educated accordingly".
- █ Please refer to table M on page 193 of the DBAR for Proposed impact management objectives and the impact management outcomes for inclusion in the EMPr that includes Appropriate penalties for transgressions

- █ Comment noted, please refer to Appendix U Existing Water Use Authorisation

- █ Comment noted this will be implemented and adhered to
- █ The comments above numbered 3.1.1 – 4 are noted, this has been amended in to the EMPr, Alien Management Plan as well as Waste Management Plan.
- █ Thank you for pointing out this error, this will be corrected in the FBAR.

- █ The above comment is noted, this listed activity will be removed from the final document.

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<ul style="list-style-type: none"> ■ The above comment is noted, upon receipt of the botanical assessment the specialist verified that the area is only categorized as an ESA and therefore Act 12 is no longer applicable, this activity will be removed from the final document. ■ Comment noted this will be implemented and adhered to ■ Comment noted this will be implemented and adhered to ■ Comment noted this will be implemented and adhered to. ■ Comment noted this will be implemented and adhered to <p>All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.</p>			
Mr Solly Fourie	Department of Economic Development and Tourism	25 October 2021	No Comments Received
Mr Jan Smit	Department of Agriculture - Head Office	25 October 2021	No Comments Received
Me Candice van Reenen	Department of Labour	25 October 2021	No Comments Received
Mr Lubabalo Mbekeni	Department of Rural Development and Land Reform	25 October 2021	No Comments Received

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr R Khan	Department of Water and Sanitation	25 October 2021	No Comments Received
Mr Toni Parkes	Eskom	25 October 2021	No Comments Received
Me Waseefa Dhansay	Heritage Western Cape	25 October 2021	No Comments Received
Mr Mark Owies	Matzikama Local Municipality	25 October 2021	24 November 2021
<p>Response from Matzikama Local Municipality – 25 October 2021</p> <p>Your notice to comment on Prospecting Activities on Portion 3 of the Farm Welverdiend DMRE Ref: WC 30/5/1/1/2/10375PR as well as Mining Activities on Portion 3 of Fam Welverdiend DMRE Ref: WC 30/5/1/3/2/10284 in the Vanrhynsdorp Registration Division refers:</p> <p>From a town planning point of view, all relevant and applicable legislation must be always complied with. The relevant farm deemed to be zoned as Agricultural Zone 1. Proof of the contradictory information documentation if not agreed with mentioned zoning must be submitted to this office for evaluation and or confirmation of zoning. Cognisance must be taken of the judgement handed down in the Constitutional Court of South Africa on 12 April 2012 on the issue of the Minister of Mineral Resources vs. Swartland Municipality and Others and Maccsand (Pty) Ltd vs. City of Cape Town (Chamber of Mines of South Africa and Agri South Africa as Amici Curiae - Case nos.: CCT 102/11 [2012] ZACC 8 & CCT 103/11 [2012] ZACC 7) where relevant companies are restrained from conducting mining and/or prospecting activities until the properties are zoned in accordance with the Bylaw. Therefore should any of the mentioned activities be moved to or be done from any registered property within the Matzikama Municipal boundary, your attention is drawn to the provisions of the Matzikama Municipality: Land Use Planning Bylaw, 18 September 2015 (the Bylaw) read together with Spatial Planning and Land Use Management Act, 2013 and Western Cape Land Use Planning Act, 2014 in terms whereof an approval for a rezoning for the duration of the prospecting and mining permit are required from our Municipality prior to any activities being undertaken.</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>According to current available records to this office no closure certificate regarding the previous mining activities on the relevant farm was issued. The mentioned certificate is of importance to identify the responsible party for previous mining and post proposed prospecting activities on these properties before new activities may commence.</p> <p>Cognisance must be taken by the general Duty of Care, as stated in Section 28 of the National Environmental Management Act, 1998:</p> <p>“Every person who causes, has caused, or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring, or, in so far as such harm cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment”</p> <p>It is to be noted that prospecting often leads to mining in the application areas and as seen from historical mining activities on these farms the environmental damage to the ecological pattern and process seems to be irreparable because of the receiving environments unlikely response to rehabilitation to its natural ecological state due to climate change and recent droughts in the area. Of concern is that the study area falls into part of the Greater Knersvlakte Biosphere earmarked for conservation. Extended mining operations within this area may cause significant loss of biodiversity within the Knersvlakte Bioregion.</p> <p>Please be advised that if mining is approved Dust,Noise and Air Emission impacts on the receiving environment must be monitored and mitigated at all times in terms of the National Environmental Management : Air Quality Act No.39 of 2004 (NEM:AQA).</p> <p>The existing road infrastructure in the region as well as on the West Coast roads are currently under high pressure due to the extension of prospecting activities and mining operations and their proposed scale, therefore, research and studies to alternative transport the raw materials to Markets and Clientele such as the reuse of already existing rail infrastructure should be investigated.</p> <p>The Municipality reserves the right to request further information and revise initial comments based on any additional information that might be received.</p>
			<p>Response from Greenmined Environmental</p> <p>Comment noted, we have advised the applicant accordingly in this regard. Please also refer to appendix V for the zoning certificate</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>The above comment is noted, however, the applicant unfortunately does not have the information pertaining to the previous mining activities, nor the previous entity responsible for said mining activities. The applicant can surely not be held responsible for activities previously conducted by another entity, which entity failed to apply for a closure certificate.</p> <p>As stated in Table 5: Policy and Legislative Context in both documents Section 28 of the National Environmental Management Act, 1998 implied throughout the documents will be complied with.</p> <p>As mentioned throughout the documents, the proposed mining footprint extends into an area that has previously been disturbed.</p> <p>According to the EIA Screening tool report, the application area falls over an Ecological Support area and the Terrestrial Biodiversity theme has a very high sensitivity thus the impact on Biodiversity was assessed as part of the EIA. It is highly unlikely that this development will have an impact on the status of the Ecosystem and Vegetation Types due to the limited extent of the mine as well as the extent of natural vegetation surrounding the mining area. Furthermore, this mine will not have a significant impact on the services and functions provided by the surrounding natural habitats and development within this area is regarded as acceptable. As per the Plant Species and Terrestrial Biodiversity Theme Compliance Statement dated October 2021 compiled by Enviroworks (see appendix N of the FBAR) It is anticipated that the proposed development (Alternative one and two) will have negligible impact on the biodiversity and botanical features identified by the screening tool as the development footprint is extensively disturbed and does not represent likely habitat for any plant species that may be threatened with extinction, as listed by the Screening Tool.</p> <p>None of the plant species listed by the screening tool were directly observed on the footprint during the site visit. There is however one provincially protected species located on site (Table 4 of the said report), but this species is not threatened in terms of the Red List of South African Plants. Individuals of this species must be relocated effectively as per the recommendations in Section 6 (of the said report). Because the site inspection was conducted in late spring, some geophytic and annual species may not have been visually present during the site inspection. it is recommended that a botanical survey be conducted in early spring (August-early September) to confirm that no additional Species of Conservation Concern are found on site.</p> <p>Some of the western portion of Alternative one may have some ecological value, albeit minimal, because it is located on a degraded Ecological Support Area (ESA). However, given that the entire area surrounding the proposed mining permit area is located in the ESA, the cumulative conservation loss of developing or mining in the ESA located in Site Alternative one is not expected to be significant. Taking into consideration the sensitivity of the development footprint, sensitive features identified by the screening tool, the results from the baseline biodiversity and ecosystem of the site, which was verified by a site visit for Alternative one, it can be concluded that both site alternatives is of low sensitivity for the Plant Species and Terrestrial Biodiversity Theme. Provided that all the management outcomes are adhered to, this compliance statement is considered sufficient to meet the requirements for authorisation under the Plant Species and Terrestrial Theme Minimum requirements.</p> <p>Comment noted this will be implemented and adhered to through mitigation measures to limit Dust,Noise and Air Emission impacts on the receiving environment</p> <p>Comment noted, the applicant will investigate alternative transport methods.</p> <p>All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties.			
Me Jacqui Gooch	Department of Roads and Public Works	25 October 2021	26 November 2021
<p>Response from Department of Roads and Public Works</p> <p>Your letter to this Branch referenced WC 30/5/1/3/2/10284 MP dated 25 October 2021 refers.</p> <p>This Branch offers objection to the issuing of the environmental authorisation.</p> <p>Detail comment in terms of the traffic issues will be provided to the local authority as part of the land use process.</p>			
<p>Response from Greenmined Environmental</p> <p>Please send your grounds for objection to us in order to address and include in our report. All comments received as well as our response need to be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.</p> <p>We thank you for taking part in this public participation process,</p> <p>We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties</p>			
<p>Response from Department of Roads and Public Works</p> <p>Apologies. It was meant to state "no objection"</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Ms Nicole Abrahams	Sanral	25 October 2021	No Comments Received
Cllr Andreas Sindyamba	Matzikama Local Municipality Ward 7	25 October 2021	No Comments Received
Me Doretha Kotze	West Coast District Municipality	25 October 2021	No Comments Received
SAHRIS on-line system	SAHRA	25 October 2021	No Comments Received

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr Van der Westhuizen	WELVERDIEND - Surrounding Land Owner	25 October 2021	No Comments Received

SUMMARY OF INITIAL PUBLIC PARTICIPATION PROCESS

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

- telephonic discussions;
- direct communication with background information documents (email);
- placement of on-site notices at the entrance to the farm and at Vanrhynsdorp Magistrates Court;
- advertisement in Ons Kontrei newspaper on 21 October 2021

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

-END OF COMMENTS AND RESPONSE REPORT-