

# **AFFORDABLE OUTCOMES CC**

## **SECTION 102 AMENDMENT APPLICATION FOR THE PROSPECTING RIGHT HELD OVER THE REMAINING EXTENT OF THE FARM ROOIFONTEIN NO 1722 (FORMERLY KNOWN AS SPECULATIE NO 217), BOSHOF, FREE STATE PROVINCE**

### **COMMENTS AND RESPONSE REPORT**

***DEPARTMENTAL REFERENCE NUMBER: FS 30/5/1/1/2/10261 PR***

**MAY 2021**



## NOTIFICATION OF STAKEHOLDERS AND I&APS DURING THE PUBLIC PARTICIPATION PROCESS

*COMMENTING PERIOD: 4 NOVEMBER – 4 DECEMBER 2020*

Regulation 32(1)(a)(aa) of the NEMA: EIA Regulations, 2017 stipulates that an applicant (for a Part 2 amendment) must submit a report reflecting the changes to the EMPR that has been subjected to a public participation process. In light of this, the relevant stakeholders and I&AP's were informed of the S102 amendment application and proposed inclusion of the earmarked ±5 ha area, by means of an advertisement in the DFA (Diamond Fields Advertiser) and on-site notices in Afrikaans and English placed at the entrance to the property. A notification letter inviting comments on the DBAR and EMPR over a 30-days commenting period (ending 04 December 2020) were sent directly to the landowner, lawful occupier, neighbouring landowners, stakeholders and any other I&AP that registered on the project. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr Mbana Peter Thabethe	Department of Agricultural and Rural Development	4 November 2020	No Comments Received
Dr Mbulelo Nokwequ	Department of Economic Small Business Development, Tourism and Environmental Affairs	4 November 2020	No Comments Received
Mr Nomfundo Douwjack	Department of Labour	4 November 2020	No Comments Received

<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION/KEY STAKEHOLDER STATUS</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Mr SS Mtakati	Department of Police, Roads and Transport	4 November 2020	No Comments Received
Mr Mwseoke	Department of Public Works and Infrastructure	4 November 2020	No Comments Received
Mr TP Ntli	Department of Water and Sanitation	4 November 2020	No Comments Received
Ms Palesa Kaota	Lejweleputswa District Municipality	4 November 2020	No Comments Received
Mr Mlungisi Mabija	Sol Plaatje Local Municipality	4 November 2020	No Comments Received
Mr Sityhilelo Ngcatsha	South African Heritage Resources Agency	4 November 2020	27 November 2020

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Comments received from SAHRA on the DBAR:</p> <p>“Affordable Outcomes CC holds a prospecting right for diamonds (general, alluvial, and in kimberlite) over 333.0435 ha of the Remaining Extent of the farm Rooifontein No 1722 (formerly known as Speculatie No 217) in the Boshof Magisterial District of the Free State Province. During the prospecting right application, a mining permit application for 4.8864 ha, by Wheatfields Investments 168 (Pty) Ltd, was pending with the DMRE and therefore excluded from the above mentioned prospecting right footprint. As the mining permit application was unsuccessful, Affordable Outcomes CC, identified the need to incorporate the 4.8864 ha area into the prospecting footprint. In light of this, Affordable Outcomes CC submitted an application for consent of the minister to include the 4.8864 ha area into the approved prospecting footprint over the above mentioned property, in terms of Section 102 of the MPRDA, 2002. Greenmined Environmental (Pty) Ltd was appointed by Affordable Outcome CC to undertake the Environmental Authorisation application for the amendment of the approved prospecting right footprint of 333.0435ha to include 4.8864ha over the Remaining Extent of the farm Rooifontein No 1722, Boshof Magisterial District, Free State. A Draft Basic Assessment Report (DBAR) was submitted in terms of the National Environmental Management Act, 1998 and the National Environmental Management Waste Act, 2008 in respect of listed activities that have been triggered by applications in terms of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (as amended). The prospecting will be done in through a non-invasive phase and two invasive phases. The non-invasive includes a geological desktop study and report writing. The first invasive phase includes drilling of 10 Reverse Cycle (RC) percussion holes (each with an approximate depth of 20 m) and where kimberlite bodies are found holes, further drilling using the Diamond Core (DC) drilling method (each with a maximum depth of 40 m) will be done. The third phase will be separate testing of four bulk sampling areas each with an approximate sampling footprint of 200 m<sup>2</sup>. Only one excavation will be open at a time during the bulk sampling phase, to which access will be controlled.</p> <p>Dr Lloyd Rossouw has been appointed to provide heritage specialist input as part of the EA Amendment application report as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). <i>Phase 1 Archaeological Impact Assessment for a mining permit application on the Remainder of the farm Speculatie 217 (now Rooifontein 1722), Boshof District, FS Province:</i> A large excavation pit with accompanying dumps within the study area is evidence of late 19th century prospecting and mining activities at the site. A modern reconstruction of the Olifantsfontein Hotel, purported to have been erected at the mine during the 1880’s is located next to the historical mining pit. The study area is located about 800 m south of a large dolerite outcrop with potential engraving sites, as well as sangars and trenches associated with the Anglo Boer War. The remnants of a tram line as well as 19th century and early 20th century refuse middens are also found in the area. Uncapped and weathered stone tool flakes were recorded during the survey, but no evidence was found of in situ Stone Age archaeological material, capped or distributed as surface scatters on the landscape. The proposed development footprint is located within a historical mining area that forms part of a historically significant landscape central to the Kimberley Diamond Rush of the 1870’s. The proposed development footprint is located within an area considered to be of high historical and archaeological significance. The proposed development will likely have an adverse effect on the integrity of Kimberley’s historical landscape. Further mining or mining related activities at Rooifontein 1722 are not advised.</p>			

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>The SAHRA APM unit previously issued comments with regards to proposed prospecting and mining activities in farm Rooifontein 1722 (please see (EIA168) - FS10462PR - Matolo Trade and Investment (Pty) Ltd. - Rooifontein 1722   SAHRA, APPLICATION FOR AN ENVIRONMENTAL AUHORISATION FOR THE PROPOSED PROSPECTING RIGHT FOR EKAPA MINERALS (PTY)LTD   SAHRA, Du Toitspan 119 (FS 10201 MP)   SAHRA) which notes that the is a significant heritage landscape and advised that the proposed development application be rejected by Competent Authorities.</p> <p><b><u>Final Comment</u></b></p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) unit notes the heritage specialist report and endorses the recommendation that the proposed development is within an area considered to be of high historical and archaeological significance which will likely have an adverse effect on the integrity of Kimberley’s historical landscape and that further mining or mining related activities at Rooifontein 1722 are not advised. SAHRA therefore advises the Department of Environment, Forestry and Fisheries (DEFF) and the Department of Mineral Resources and Energy (DMRE) to reject the application for prospecting on farm Rooifontein 1722, District of Boshoff, Free State Province [FS 30/5/1/1/2/10261 PR].”</p>			
<p>Summary of the response sent to SAHRA on 12 March 2021:</p> <p>“.... Upon receipt of the above comment, Dr Rossouw revisited the Phase 1 Archaeological Impact Assessment (2017) for the mining permit application submitted over the Remaining extent of Rooifontein No 1722 (formerly known as Sepculatie No 217). Dr Rossouw subsequently compiled a Heritage Impact Statement (HIS) that is specifically related to the proposed prospecting activities that forms part of the Section 102 amendment application submitted by Affordable Outcomes CC. Attached to this letter please find a copy of Dr Rossouw’s HIS for your perusal and commenting.</p> <p>If deemed feasible by SAHRA, we intend to amend the prospecting proposal for the earmarked 5 ha area (to be added to the existing prospecting area of Affordable Outcomes) from invasive prospecting with bulk sampling to non-invasive prospecting only. In other word, there will only be non-invasive prospecting of the proposed 5 ha extension area if the Section 102 application is approved by the DMRE.</p> <p>In light of the accompanying HIS and amended proposal, we kindly request you on behalf of SAHRA to reconsider your earlier comment, and please provide us with an updated comment by the 15<sup>th</sup> of April 2021. Upon receipt of SAHRA’s feedback the basic assessment report (BAR) will be amended accordingly and redistributed for a 30-days commenting period to the I&amp;AP’s and stakeholders for their perusal, prior to the final BAR being submitted to the DMRE for their consideration...”</p> <p>Following numerous telephone calls and emails, SAHRA has to date not responded to the above mentioned proposal. On 26 March 2021 Greenmined advised SAHRA that</p>			

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should they not respond on or before the 12 <sup>th</sup> of April 2021, it will be accepted that they (SAHRA) is in agreement with the proposal. No feedback was received, so the DBAR was subsequently amended as presented in this report that will be distributed for another 30-days commenting period to the stakeholders and I&AP's.			
Mr Kelehile J Motlhale	Tokologo Local Municipality	4 November 2020	No Comments Received
Ward Councillor	Tokologo Local Municipality -Ward 3	4 November 2020	No Comments Received

LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES			
TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Me Lucille du Preez	Rooifontein Wildlife Club	4 November 2020	No Comments Received
Mr Luc Swanepoel	Karreeboom Kimberley (Pty) Ltd Portion 0 of Farm 1716	4 November 2020	18 November 2020

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION /PROPERTY DESCRIPTION</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Mr Swanepoel requested and update regarding the project.			
Greenmined responded to Mr Swanepoel on 18 November 2020, and notified him of the availability of the DBAR and commenting period that extends until 04 December 2020. A copy of the report was also electronically sent to Mr Swanepoel on 19 November 2020. To date no additional comments were received.			
Mr & Mrs de Klerk	Kadi Trust Portion 3 of New Klippiespan 1635	10 November 2020	No Comments Received
Mr WB Mopharing	Portion 2 of New Klippiespan 1635 Portion 10 of New Klippiespan 1635	10 November 2020	No Comments Received
Mr S King	Portion 8 of New Klippiespan 1635	11 November 2020	No Comments Received
Mr JJ Reichert	Portion 1 of Rooifontein 211	4 November 2020	No Comments Received

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr Van Wyk	AAA Mining CC Portion 1 of Speculatie 217	4 November 2020	16 November 2020
<p>Milnex CC registered as I&amp;AP's on the application, acting on behalf of the landowner of Portion 1 of the farm Speculatie No 217 (AAA Mining CC). Milnex CC requested copies of all the relevant documentation for this application.</p>			
<p>Greenmined confirmed on 18 November 2020 that Milnex CC and AAA Mining CC were registered as I&amp;AP's and that a copy of the DBAR was available on the company's website. To date no further correspondence/comments were received from Milnex CC.</p>			
Dr Scholtz	Zuikerkop Country & Game Lodge Portion 0 of Farm 1719  Zuikerkop Trust Portion 0 of Farm 1717	4 November 2020	No Comments Received
Mr Sam Fiff	Transnet LTD Portion 1 of Benauwdheidfontein 124	4 November 2020	No Comments Received
Mr L Maritz (IKAPA)	Crown Resources (Pty) Ltd Portion 0 of Farm 1714	10 November 2020	No Comments Received



**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION /PROPERTY DESCRIPTION</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Mr Eben van Heerden	De Beers Consolidated Mining (Pty) Ltd Portion 0 (Remaining Extent) of Benauwdheidfontein 124	12 November 2020	No Comments Received
Ester van der Westhuizen-Coetzer	Ekapa Minerals (Pty) Ltd Portion 0 of Farm 212	4 November 2020	No Comments Received
Mr AJ Thompson	Rietpan Portion 0 of Farm 211	4 November 2020	No Comments Received
Mr Elias Selemela	Rooifontein	4 November 2020	No Comments Received
Mr IC Potgieter	Duncan & Rothman Attorneys	4 November 2020	5 November 2020

Duncan and Rothman Attorneys requested a copy of the granted prospecting right held by Affordable Outcomes CC.

Greenmined supplied a copy of the said prospecting right on 09 November 2020, upon which DRA requested a copy of the registered PR or proof of lodgement with the Mineral and Petroleum Titles Registration Office. This proof was supplied on 11 November 2020. To date no further comments were received from DRA.

## SUMMARY OF PARTICIPATION PROCESS

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

- telephonic discussions;
- direct communication with notification letters inviting comments on the draft Basic Assessment Report (email);
- placement of on-site notices; and
- placement of an advertisement in The Diamond Fields Advertiser on 6 November 2020.

Following receipt of the comments from SAHRA the DBAR was amended and will accordingly be redistributed for another 30-days commenting period. Any comments received on the amended DBAR will be incorporated into the final BAR to be submitted to the DMRE for decision making.

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-**