

SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES

DATE: 25 Nov 2013 TIME:

PARTICULARS OF THE INTERESTED AND AFFECTED PARTY  
NAME: PEGASUS CHANGE LOCAL MUNICIPALITY  
POSTAL ADDRESS: P O Box 6 DEWAR  
STREET ADDRESS: 45 SARA GARDERS STR. DEWAR  
POSTAL CODE: 2200

WORKDAY TELEPHONE NUMBER: 03-6654825 POSTAL CODE: 2200  
WORKDAY FAX NUMBER: 03-6654106

CELL PHONE NUMBER: E-MAIL ADDRESS: jacob@pegasus.co.za

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT

Local Authority.

PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE

- 1) The young application not submitted
- 2) Withdrawal of water and effect of municipal water resources,
- 3) Help to Agricultural for comments.
- 4) Help to DWAF for comments.



**SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES**

DATE: 12-11-2013 TIME: 11h 48.  
 PARTICULARS OF THE INTERESTED AND AFFECTED PARTY: Mr. 47 Nanyabakeri  
 NAME: Mr. NARA NARAYAN TILAK  
 POSTAL ADDRESS: P.O. Box 8293, CINDA Park.  
 STREET ADDRESS: 9/0 11 Brookwood St. Vandyke Av.  
 POSTAL CODE: 1463  
 WORK/DAY TELEPHONE NUMBER: 011 912 9923/4 POSTAL CODE: 1459  
 WORK/DAY FAX NUMBER:  
 CELL PHONE NUMBER: E-MAIL ADDRESS: Shanigopi@telkom.net.  
 Shanigopi@Telkom.net.

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT  
 KNOW OWNERS - Mr. NARA FAMILY. Trust.

PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE  
 How is my PROPERTY GOING TO BE AFFECTED?

- 1) Waste of my LAND.
- 2) water quality.
- 3) Coal Pollution sickness of Animals & Occupants.
- 4) Noise, and Squalor Camps.
- 5) See. Annexure (vs)

Hi Peer

I am the trustee holders of the portion plot of Ockie Bezuidenhout I need you to confirm that you will not do any Mining or water and environmental impact assessment on this property Portion 46,47 please can you send me a letter to confirm this.

Karen Janse van Rensburg

[KarenJvRensburg@stefstocks.com](mailto:KarenJvRensburg@stefstocks.com)

011 552 4047

My FATHER build this plot for the last 20 years this is a PLOT that must stay in the family for years my father has Parkinson disease which give him stimulation we have a spinal defect- spinal bifida brother so that he can use the income to survive during his period. We build 25 years on this property that took a lot of funds from my parents so that we can have this a haven for them to retire as well.

What happen to the underground water that we use on this stage to survive and give plants and garden and animal to survive what will happen will we get municipality water to assist in this matter or what?

Who will cost on municipally water us or the mine?

We have enquiry at an environmentalist and will get you the report as soon as possible we will get legal advice if necessary on this matter due to the fact that we were not aware of planning from Ngululu Resources Pty Ltd of a mine for the last pass year. Lot of funds went into your project to get the plot as it is known.

The health risk is we will not have any water on the plot due to underground water taken away by the mine.

Regards

Karen Janse van Rensburg – Daughter

SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES

DATE: 27-11-2013

TIME: 13:10

PARTICULARS OF THE INTERESTED AND AFFECTED PARTY

NAME: PAUL JOSE PEARES

POSTAL ADDRESS:

PO BOX 40

SUNDR4

STREET ADDRESS:

PORTION 16 FARM GEIGERLEY (238)

POSTAL CODE: 2200

POSTAL CODE: 2200

WORK/DAY TELEPHONE NUMBER: 0136615028

WORK/DAY FAX NUMBER:

CELL PHONE NUMBER: 085522344

E-MAIL ADDRESS: PAUL.PEAES@WSPGROOF.CO.ZW

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT

WE STAY ON PORTION 238 NOT FAR FROM  
THE PROPOSED SITE

PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE

COMMENTS: WATER, NOISE, DUST ETC.

SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES

DATE: 27 Nov. 2013 TIME: 12:00

PARTICULARS OF THE INTERESTED AND AFFECTED PARTY  
NAME: Karin Peters

POSTAL ADDRESS: P.O. Box 400

STREET ADDRESS: Sundra

POSTAL CODE: 2200

STREET ADDRESS: Portion 16 Farm Beigertey (138)

POSTAL CODE:

WORK/DAY TELEPHONE NUMBER: 013 661 5008

WORK/DAY FAX NUMBER:

CELL PHONE NUMBER: 082 4963788 E-MAIL ADDRESS: karinpeters@telkomsa.net

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT

We stay not far from mention Project.

PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE

Water? Woods? Birds? Animal life?

SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES

DATE: 25 Nov 2013 TIME:

PARTICULARS OF THE INTERESTED AND AFFECTED PARTY

NAME: VICTOR KIMYE LOCAL MUNICIPALITY

POSTAL ADDRESS: P.O. Box 6 DEWAR

STREET ADDRESS: 45 SMOKE CANNERS STR. POSTAL CODE: 280

WORK/DAY TELEPHONE NUMBER: 03-665 4835 POSTAL CODE: 280

WORK/DAY FAX NUMBER: 03-665 4704

CELL PHONE NUMBER:

E-MAIL ADDRESS: victorkimye@victorkimye.gov.za

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT

Local Authority.

PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE

- ① The young application not submitted
- ② The withdrawal of water and effect the local water resources;
- ③ Help to agricultural for comments.
- ④ Help to DWAF for comments.



SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES

DATE: 06/11/2013	TIME:
PARTICULARS OF THE INTERESTED AND AFFECTED PARTY	
NAME: Demira cc	
POSTAL ADDRESS: P. Box 8 590	
	Sundia
	POSTAL CODE: 8200
STREET ADDRESS: Plot 85 and street	
	Pelkol
	Sundia
	POSTAL CODE: 8200
WORKDAY TELEPHONE NUMBER: 083 390 3868 / 083 569 4942	
WORKDAY FAX NUMBER: 011681301	
CELL PHONE NUMBER: 083 569 4942	E-MAIL ADDRESS: demira@qfira.co.za

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT  
*Pool hire, industrial cleaning, quilts etc.*

PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE

Mr. Johann Minnaar  
Jm Property and Mineral Rights Consultants  
Suite 13 Ground Floor  
Bergzicht Office Park  
Struben's Valley Roodepoort  
jm.mineralrights@icloud.com

Dear Sir,

**RE: APPLICATION FOR MINING RIGHT: DRAFT SCOPING REPORT - NOTIFICATION AND CONSULTATION WITH AFFECTED AND INTERESTED PARTIES – PORTIONS 26, 46 and 47 OF THE FARM DROOGENFONTEIN 242 IR – APPLICANT: NGULULU RESOURCES (PROPRIETARY) LIMITED – DMR REFERENCE: MP30/5/1/1/2/10076MR - NAMUTONI BOERDERY (EIENDOMS) BEPERK**

Your e-mail and letter dated 29 August 2013 refers:

I act under instructions and a mandate received from NAMUTONI BOERDERY (EIENDOMS) BEPERK, represented by Mr. Thinus van Dyk, the registered owner of the following properties: Portions 26, 31 and 39 of the Farm Droogenfontein 242 IR (all the above-mentioned properties are hereinafter jointly referred to as “the affected property”). NAMUTONI BOERDERY (EIENDOMS) BEPERK (“hereinafter referred to as “the Owner”) is an affected and interested party in terms of the definition of “affected and interested party” in the Regulations to the Mineral and Petroleum Resources Development Act, No. 28 of 2002 (“MPRDA”) with regard to the application for a mining right for coal submitted by Ngululu Resources (Proprietary) Limited to the Department of Mineral Resources (“DMR”) under reference No.MP 30/5/1/1/2/10076MR, and which application was accepted by the DMR on 16 July 2013.

***Noted.***



The Owner is also an affected and interested party in terms of the provisions of NEMA and the National Water Act.

***Your comment is noted and you will be registered as an Interested and Affected Party.***

It is placed on record that the applicant, through its consultants, advised the Owner per E Mail dated 25 July 2013 of the acceptance by the DMR of its application for a mining right under the above quoted reference number.

***Noted.***

In terms of Regulation 49 (1)(f) of the Regulations under the MPRDA (“the Regulations”), the applicant must in the draft Scoping Report described the process of engagement of identified interested and affected persons, including their views and concerns.

***The public participation has not commenced. An application for environmental authorisation will be done with the Mpumalanga Department of Economic Development, Environment and Tourism and a wetland delineation study will commence before any public participation is conducted. The public participation will then comprise of an Environmental Impact Assessment as per the National Environmental Management Act (Act No 107 of 1998), Water Use License in terms of the National Water Act (Act No 36 of 1998) and Environmental Management Programme in terms of the Mineral and Petroleum Resources Development Act (Act No 28 of 2002) The Environmental Scoping Report submitted to the Department of Mineral Resources on the 16 July 2013 did not include comments from Interested and Affected Parties as the applicant only had 30 days in which to submit the Scoping report as per Regulation 49 (2) of the Mineral and Petroleum Resources Development Act (Act No 28 of 2002).***

Regulation 49(2) places a statutory obligation on the applicant to submit the Scoping Report to the DMR within 30 days as from the date when the Regional Manager of the DMR has requested the applicant to do so. The date in this respect was 15 August 2013. You are requested to advise the Owner of the date when the draft Scoping Report was submitted to the DMR.

***The Scoping report was submitted to the Department on the 15 August 2013. See annexure A for the proof of submission of the Scoping Report to the Department of Mineral Resources.***

You are hereby advised that the Owner was never consulted by the applicant in order to obtain its views and concerns prior to the drafting of the Scoping Report, and that the draft Scoping Report was never submitted to the Owner in order for the Owner to raise its concerns and views with regard to the contents of the Scoping Report or with regard to any aspect of the proposed mining development which may have an impact on its rights as owner of the affected properties.

***Noted. Your client received a copy of the Environmental Scoping report and their comments will be incorporated into the Environmental Management Programme as stated in Regulations 48 & 49 of the Mineral and Petroleum Resources Development Act (Act No 28 of 2002). The Department may also request additional information which will be incorporated in the Environmental Management Programme.***

Chapter 5 of the Scoping Report which is supposed to deal with the requirements of Regulation 49(2) is incomplete and does not conform to the said requirements.

In the light of the aforesaid the applicant has not met the requirements of Regulation 49(1)(f), and as such the Owner will advise the DMR not to approve the Scoping Report as submitted to the DMR by the applicant, as the rights of the Owner has been adversely affected by the non-compliance of the applicant to the above quoted legislation.

***The public participation has not commenced. An application for environmental authorisation will be done with the Mpumalanga Department of Economic Development, Environment and Tourism.***

The Owner reserves the right to object, in terms of the provisions of Section 10 of the MPRDA, against the granting of the mining right to the applicant based upon its failure to adhere to the provisions of the aforesaid Regulations,

Without in any way condoning the failure of the applicant to adhere to the provisions of Regulation 49(2), the Owner wishes to advise the applicant of the following:

1. The affected properties are being farmed and utilised as one commercial farming unit;
2. The infrastructure comprising the homestead, the workshops and farm sheds are situated on Portion 31 and serve the chicken broilers situated on Portion 39.

3. The chicken broilers are situated on Portion 39. These broilers produce chickens to various enterprises which sell chicken meat to the consumer under medium and long term supply contracts;

***Noted points 1-3. A soil, land capability and land use impact assessment will be conducted as part of the process.***

4. Portion 26 is use for commercial farming purposes, namely grazing of livestock and the production of maize/sorghum.

***Noted.***

5. Any proposed mining and processing operations for coal mining and processing will have a serious and detrimental effect on the production of maize, the feeding of livestock, but more seriously the operation of the chicken broilers;

?

6. Dust, noise and the contamination and depletion of surface and underground water will seriously affect, and even destroy the broiler business of the Owner on the affected properties.

***An air quality and noise assessment will be conducted as part of the process.***

In the light of the concerns and objections raised in the above paragraphs, the applicant is requested to appoint an agricultural economist to investigate the economic loss and financial damages that will occur in the agricultural sector, and the broiler business within the proposed mining area and adjacent areas, which is attributable to not only a loss in agricultural land but also due to the depletion of crop production due to environmental perils to be caused by proposed mining operations such as dust, water quantity and water quality.

The applicant is also requested to appoint an agricultural scientist with the necessary qualifications and experiences to ascertain the effect that the above environmental damages.

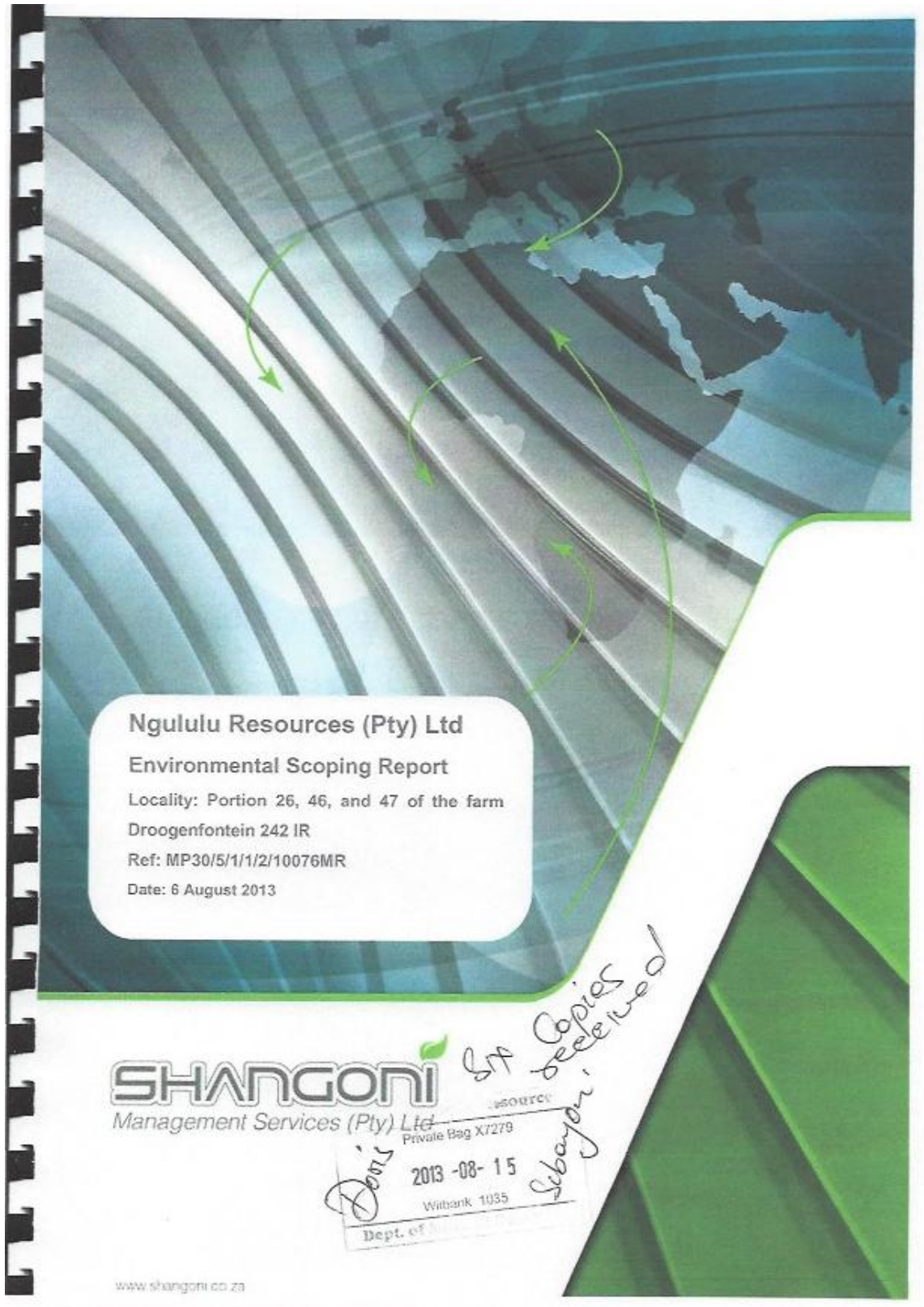
may have on crop production and the broiler business of the Owner, and the economic loss associated with crop loss, and depletion of chicken production due to the applicant's mining activities.

It is also placed on record that the Owner is not a willing seller with regard to the sale of the affected properties.

The letter is written to you without prejudice to the rights of the Owner, which rights are herewith duly reserved.

Kindly acknowledge receipt, and confirm that the applicant will accede to the requests of the Owner as set out in this letter.

Annexure A: Acceptance letter from the Department of Mineral Resources



**SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES**

DATE: 30 November 2013	TIME: 09:48
PARTICULARS OF THE INTERESTED AND AFFECTED PARTY	
NAME: Rosalie Hutchins	
POSTAL ADDRESS:	
POSTAL CODE: 2200	
STREET ADDRESS: 7 Blaekam Avenue	
Sundra	
POSTAL CODE: 2200	
WORK/DAY TELEPHONE NUMBER: 013 661 5091	
WORK/ DAY FAX NUMBER: 011 086 594 9463	
CELL PHONE NUMBER: 083 717 2763	E-MAIL ADDRESS: wydbengineering@absamail.co.za

PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT
Resident owner nearby proposed mine.
PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE
• Water pollution with air borehole; Air pollution with all the coal dust - earth tremors with blasting can affect built structures. Noise pollution and worsened roads will all affect our daily lives. Also a decrease in property value.

# MPUMALANGA PROVINCIAL GOVERNMENT

Building 6  
No 7 Government Boulevard  
Riverside Park  
Nelspruit 1200  
Republic of South Africa



Private Bag x 11219  
Nelspruit 1200  
Republic of South Africa  
Tel: +27 (0)13 766 6067/8  
Fax: +27 (0)13 766 8295  
Email: dardla@mpg.gov.za

## Department: Agriculture, Rural Development and Land Administration HEAD OFFICE

*Litiko Letekulima, kutfutukiswa  
Kwetindzawo Tasemakhaya  
Netekuphatfwa Kwemhlaba*

*Departement van  
Landbou, Landelike Ontwikkeling  
en Grondadministrasie*

*umNyango wezokulima nokuTjala,  
zokuThuthukiswa kweNdawo  
zemaKhaya nokuPhathwa koMhlaba*

Enquires : NT Mathebula  
Contact : 013 759 4078  
Our Reference : DARDLA 15/3/1/1/129

03 December 2013

Shangoni Management Services (Pty) Ltd  
P O BOX 74726  
LYNNWOOD RIDGE  
0040

### ATTENTION: NOMKHOSI MOHLAHLA

### MINING RIGHT, WATER USE LICENCE AND ENVIRONMENTAL IMPACT ASSESSMENT AUTHORISATION: PORTIONS 26, 46 AND 47 OF THE FARM DROOGENTEIN 242 IR

Your letter dated 30 October 2013 in the above-mentioned regard, has reference.

Receipt of your application is hereby acknowledged and you will be informed of this Directorates comments in due course. At this stage the Department would like to register as an interested/affected party. This application's reference number is (DARDLA 15/3/1/1/129) and you are requested to please use this reference in any future correspondence or enquiries in this regard.

Yours sincerely,

CHP KLEYNHANS  
ACTING DIRECTOR: LAND ADMINISTRATION

SCOPING AND ENVIRONMENTAL ASSESSMENT  
REGISTRATION AND RESPONSE FORM FOR INTERESTED AND AFFECTED PARTIES

DATE: 28-11-2013	TIME: 18:00
PARTICULARS OF THE INTERESTED AND AFFECTED PARTY	
NAME: P. E. WIPPLINGER	
POSTAL ADDRESS: P.O. Box 39618	
MORELETA PARK	
	POSTAL CODE: 0044
STREET ADDRESS: JOHANITA STREET 818	
MORELETA PARK	
	POSTAL CODE: 0044
WORK/DAY TELEPHONE NUMBER: 012 993 2558	
WORK/ DAY FAX NUMBER:	
CELL PHONE NUMBER: 083 3272868	E-MAIL ADDRESS:
Paul E. Wipplinger @ gmail . com	
PLEASE IDENTIFY YOUR INTEREST IN THE PROJECT	
Research Geologist, Total Coal SA (Pty) Ltd. (neighbour to the north)	
PLEASE WRITE YOUR COMMENTS, QUESTIONS IN THIS SPACE	

please also add:

Mr. Gunn Ndebele (chief geologist)  
Total Coal SA (Pty) Ltd

Gunn.Ndebele@total.coal.co.za.





**NGULULU RESOURCES (PTY) LIMITED**

Register No.: 2003/016967/07

Bld. No. 3, Centurion Gate office Complex, Cnr John Vorster & Akkerboom str,  
Zwartkop, Centurion  
P.O. Box 67347, Highveld x11, 0169  
Tel: +27 (086) 140 4030 Fax: +27 (012) 663 1018  
+27 (12) 663 2257

[info@ngululu.co.za](mailto:info@ngululu.co.za)

---

**APPLICATION FOR A MINING RIGHT ON PORTION 26, 46 AND 47 OF THE FARM DROOGEFONTEIN 242IR**

**Oku-Kama Family Trust**

AND

Ockie Bezuidenhout, Karen Janse van Resburg, Ockert Bezuidenhout, Marcus Bezuidenhout, Arno Bezuidenhout, Nadine Bezuidenhout, Alette Bezuidenhout, Corlet Jase van Rensburg, Jacobus Janse van Resburg trustees of the Oku-Kama Family Trust

We refer to the above and the communication between your Karen Janse van Rensburg and, Shangoni Management Services and Restigen respectively, and confirm that you indicated that we may address this letter to you directly, and you will distribute this letter to all other trustees of the trust listed above, and other trustees which are not listed who may be trustees of the trust.

We can confirm that our mine planning is to construct an opencast mine on portion 26. We undertake not to construct an open cast mine on your portion 47.

We request that you contact our appointed specialists should you have any further queries and we undertake to respond to the requests on an urgent basis.

We thank you for your speedy reply to the background information document and confirm that we will instruct the specialists to register your trust as an interested and affected party.

Kind Regards,

  
Ngululu Resources

**Draft document**

**OKUKAMA TRUST**

**2013**



**PLOT 47**

**Droogefontein**

**“This document will be a working documents and  
change will take place as new facts and information will  
be received”**

**Public/Shareholder feedback and  
concerns regarding the scoping and  
environmental risk assessment  
presented by Shangoni**

## Contents

1. Introduction
2. Notice of application on environmental impact study from Shangoni
3. Research documents received
4. Key points of objection
  - 4.1. Water pollution
  - 4.2. Unexpected construction work
  - 4.3. Impact on agriculture and plants on portion 26/46/47
  - 4.4. Loss of privacy and property value
  - 4.5. Noise and smell pollution
  - 4.6. Roads and transport
  - 4.7 Discharging explosives
  - 4.8 Socio- economical factors
  - 4.9 Ground pollution
  - 4.10 Air pollution
5. Conclusion
6. Feedback requested

### **1.INTRODUCTION**

We are part of the Sundra town community and residents/owners of portion 47 of the farm Droogfontein 242 IR. This report refers to our objection in respect of the notice of application for the mining right, water use licence and environmental impact assessment authorisation.

The shareholder and public meeting of 27<sup>th</sup> November 2013 refer.

A public meeting was held on the said date without Shangoni nor the applicant ( Ngululu Resources) properly notifying the affected community of Sundra and surrounding farms. Most of the community members present complained that they were not notified about the meeting and if it was not that some members notifying them they would not participated.

Shangoni could not explain why all the affected members were not notified eg. Prosperity Holding Farms which is basically next to Portion 26. Therefore the public meeting does not actually constitute a public meeting as only selective members of the community were notified.

### **2. NOTICE OF APPLICATION RECEIVED FOR AN ENVIRONMENTAL IMPACT ASSESSMENT AUTHORISATION < MINING RIGHT AND WATER USE LICENCE FROM SHANGONI**

As per document received from Shangoni as per environmental impact assessment notice was provided prior to public meeting, but not discussed at the public meeting ( Annexure A).

### **3. RESEARCH DOCUMENTS RECEIVED**

Research done by Shangoni on behalf of Ngululu Resources Pty Ltd and document tabled at the public meeting( Received on the 27<sup>th</sup> November at the public meeting in Delmas -Annexure B)

Purpose of the meeting was clear and the consultant (Shangoni) informed all present. Project description not clear and understandable due to the following facts:

The consultant informed members that it is possible that the stockpile could be at another location as well as the washing of coal, but their plan is currently to move coal to another location to be washed. This could also not be confirmed by the applicant as where it will be washed, yet no proper study was done or impact on the environment envisaged.

The fact of potable water used or from boreholes or other means indicate the applicant is concerned about the effect of using borehole water in this area.

On page 4 of the document the infrastructure was not clear as model A and B was presented and the consultant indicated that the mine may change models.

The survey according to the consultant is only on the portions indicated and not surrounding areas and not the effect of the mine activity on the surrounding ground and farm activities. The study was thus done in isolation and no impact indicated on other areas.

The notice of application refer to an estimated life of twenty years at the bottom of page one, but the members present from Ngululu confirm that there was never an feasible study done on the project and they could not indicate what is the life expectancy of the said mine. This indicates that no proper studies were done whether the mine will last one year or fifty years and what areas would be affected on the long term.

The objective of any survey or investigation from or by Shangoni Management Services is doubtful, bias and most properly incorrect as will later be elaborated on. This is based on the fact that Ngululu is paying Restogen who is contracting Shangoni Management Services to do the survey. The question to be raised is whether Shangoni is really independent to provide a feasible study.

The public had only three days to submit their comments on the public proposal which is not enough time fairly to comment on the presentation.

Environmental management programme is not sufficient in supplying all the factual statistics and relevant impact on the portions as well as the surrounding areas. A proper and more detailed report should be provided at the next public meeting (in advance of the public meeting

to be scrutinised by the residents of Sundra).The basis of their survey was not sufficient as some areas were totally left out e.g. Prosperity Holding Farms.

## **2.1 The application form**

Scoping and environmental assessment – registration and response form for interested and affected parties completed by Okukama Trust (Annexure C)  
Submitted on the 30<sup>th</sup> November 2013.- to [khosi@shangoni.co.za](mailto:khosi@shangoni.co.za).

Non-compliance with other council planning policies/government planning guidance According to the members present the applicant has not yet obtained zoning from the local authority for the specific portions mentioned.

## **4. KEY POINTS FOR OBJECTION**

**The consultant could not provide any statistical figures regarding the current and possible pollution effects in any portion or effect of pollution on the surrounding areas.**

### **4.1 Water pollution**

One of the largest quality problem associated with coal mining is the acid main drainage (AMD) The first being that the pyrite in the rock gives rise to water with a low pH and the acid water or rain mobilizes heavy metals from and to the surrounding environment. Treating the water afterwards with calcium to raise the ph makes the water more saline and this is an expensive process which was not discussed or presented at the meeting.

The mine activity would result in polluting the ground water of which most of the farm holdings in Sundra and surrounding areas are using for human consumption, domestic use, animal consumption and farm use. Almost all the farms in the immediate surrounding depend on the quality and availability of underground water and if the mine would use underground water as indicated the community and their livestock will be seriously affected.

The evaporation of polluted water or acid rain has proven the cause of serious sickness in children.

### **4.2 Unexpected construction work**

Currently there is clearing of roads in the area of Prosperity near portion 26 which was not cleared for the past 10 years. The question arises as who is cleaning the roads currently?

### **4.3 Impact on agriculture and plants on portion 26/46/47**

According to the consultant portion 26 is vegetation sensitive and has a protected plant species e.g. Orange river lily( *Crinum bulbispermum*) present there and the mine activity will definitely affect the future of this plant life as the ground is not easily permeable end result of polluted

water to flow into the wet land. No procedures in place of the mine to protect this sensitive area.

The agricultural cultivation will be seriously affected as result of the air- and water pollution. The life on earth exist in different ecosystems, whether on micro or macro scale and any activity causing an imbalance in the system will have repercussion on these systems ensuring life in a town like Sundra. This type of mining activity will result that the agriculture activities of over 100 years in Sundra will die to be a wasteland over the years.

#### **4.4 Loss of privacy and property value**

The lost of agricultural landscaping surroundings and ambience

Impact on peri-urban environment- character of area by losing the farming environment to commercial mining

The private view of surrounded area for farmers in respect of urban landscape being changed.

The loss of investment and value of property due to mining activities.

Will the farm owners be remunerated for their lost in value of property due to the mining activities?

#### **4.5 Noise and smell pollution-**

No noise levels were discussed at the public meeting.

The consultant could not provide or did not discuss what the impact of the mining would be due to the increase in truck activity and the using of explosives on the humans and animals in the Sundra area. Definitely the mining activities will have a negative effect on the silent farming surroundings. The noise could be to such extent that all wild life will be chased away.

Surely the consultant could provide noise statistics of recent mines operating fully and provide such to the meeting. The statistics should indicate where and when noise levels were measured.

#### **4.6 Roads and transport**

No indication was given what would the traffic congestion impact be in Sundra. Will the current roads be able to carry the additional loads or should the current road network be uplifted?

What could we expect the increase and effect of traffic volume be?

No indication was given what would be the routes use to transport the coal and what impacts will the noise, dust and crime be on the environment of the community.

#### **4.7 Discharging explosives**

The discharging of explosives in order to loosen the coal will result in damage of surrounding farm households and the CBD of Sundra resulting of house walls cracking and possible

collapsing of walls. This may lead to the lost of human life and families losing their homes. The consultant could not provide or indicate what the impact will be on the surrounding buildings.

This is a peri -urban area life will be disturbed which will include of the wildlife e.g. Birds and even the animals on the farm might die due to the shocks and noise caused by the explosives.

The explosive shock will cause that some of the groundwater channels will collapse or dry out and result that the farmers not having bore water for domestic and farm use.

#### **4.8 Socio-economical factors**

All residents of Sundra according to the Human Rights Act, in particular Protocol 1: Article 1: This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land and Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of *Britton vs SOS* the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

We as the citizens of Sundra has a right to an environment that is not harmful to our health or well being and have the environment protected for the benefit of present and future generations. Citizens to be protected through legislative and other measures to prevent pollution and ecological degradation and use natural resources( Section 24 in the Bill of Rights, The Constitution of the Republic of South Africa,1996).

The activities and pollution caused by the mine in this proposal will negatively affect the health and life of the citizens, animal and plants in Sundra. No economical factors or impact on the CBD of Sundra was discussed at the meeting and labour issues could not be answered by Shangoni at the meeting.

The crime in Sundra will definitively increase as we know that mining goes hand in hand with cheap labour (illegal immigrants) and illegal liquor activities. The consultant could not indicate how much of the community will be involved in the mining activity and if the community of Sundra would be used in this project.

The question also not answered is what will the community from Sundra benefit from this mining?

#### **4.9 Ground pollution**

The ground stability and drainage will definitely be affected as such. The consultant also indicated the top and bottom seams had abundance sulphur and possible acid forming. The air pollution will cause acid rain and not increase acid deposit in the ground in the direct surroundings, but also surrounding areas. As most of the land is agricultural the pollution will definitely affect the future of the Sundra community.

#### **4.10 Air pollution**

Currently the Mpumalanga province has been declared an air polluted area and amongst the worst air quality in the world. The possibility of spontaneous combustion has not been addressed. The community still awaits the feedback from the consultants on the air pollution level and the after effects the mine will have on the air pollution.

In November 2008 the DEAT declared the Mpumalanga Highveld a "pollution hotspot". Climate change could also be caused by coal mining and the impact on the agriculture in this area still needs to be explained. If the mining will have a very negative high Key Observation Points surely indicate the high level of air pollution and the effects on the environment of Sunda.

#### **7. CONCLUSION**

We formally request that the relevant authorities and consultants do take our objections into consideration when deciding on the application. We have the responsibility as guardians of the environment to ensure that the environment for our kids and future generation is one to be lived in free of pollution and degeneration.

The Okukama trust owners of portion 47 cannot support the mining activity as stipulated in the report as the mining activity will directly affect our farm and surrounding areas negatively. The reasons were provided above.

#### **8. FEEDBACK REQUESTED**

We request that you acknowledge the receipt of our objection letter and ask that you notify us of the next public meeting as confirmed at the public meeting on the 27th November 2013.

We would request that representative members should be present from the local municipality: Dept of corporate and legal, town planning and housing and relevant government representatives.

No proper rehabilitation actions by the mine were mentioned and no time frame or specifications indicated. The community are concerned that the areas will not be totally restored to its original agricultural landscape.

Proper survey information should be provided as tabled at the public meeting and expected impacts discussed.



# MPUMALANGA PROVINCIAL GOVERNMENT

Building 6  
No 7 Government Boulevard  
Riverside Park  
Nelspruit 1200  
Republic of South Africa



Private Bag x 11219  
Nelspruit 1200  
Republic of South Africa  
Tel: +27 (0)13 766 6067/8  
Fax: +27 (0)13 766 8295  
Email: dardla@mpg.gov.za

## Department: Agriculture, Rural Development and Land Administration HEAD OFFICE

*Litiko Letekulima, kutfutukiswa  
Kwetindzawo Tasemakhaya  
Netekuphatfwa Kwemhlaba*

*Departement van  
Landbou, Landelike Ontwikkeling  
en Grondadministrasie*

*umNyango wezokulima nokuTjala,  
zokuThuthukiswa kweNdawo  
zemaKhaya nokuPhathwa koMhlaba*

Enquires : NT Mathebula  
Contact : 013 759 4078  
Our Reference : DARDLA 15/3/1/1/129

03 December 2013

Shangoni Management Services (Pty) Ltd  
P O BOX 74726  
LYNNWOOD RIDGE  
0040

### ATTENTION: NOMKHOSI MOHLAHLLO

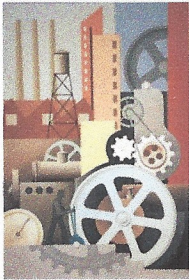
### MINING RIGHT, WATER USE LICENCE AND ENVIRONMENTAL IMPACT ASSESSMENT AUTHORISATION: PORTIONS 26, 46 AND 47 OF THE FARM DROOGENTEIN 242 IR

Your letter dated 30 October 2013 in the above-mentioned regard, has reference.

Receipt of your application is hereby acknowledged and you will be informed of this Directorates comments in due course. At this stage the Department would like to register as an interested/affected party. This application's reference number is (DARDLA 15/3/1/1/129) and you are requested to please use this reference in any future correspondence or enquiries in this regard.

Yours sincerely,

CHP KLEYNHANS  
ACTING DIRECTOR: LAND ADMINISTRATION



# Christie Briel Attorneys

Our ref: C M Briel/NGU001

Your ref: Mr Johann Minnaar

26 November 2013

Johann Minnaar t/a as JM Property and Mineral Rights Consultants  
Suite 13 Ground Floor Bergzicht Office Park  
Struben's Valley  
**ROODEPOORT**

By email: [jm.mineralrights@icloud.com](mailto:jm.mineralrights@icloud.com)

Sir,

*"Without Prejudice"*

**RE: NGULULU RESOURCES (PTY) LTD: PUBLIC PARTICIPATION PROCESS AND CONSULTATION WITH INTERESTED AND AFFECTED PARTIES**

We refer to the above and our letter dated 3 September 2013 as well as your letter directed to Shangoni Management Services (Pty) Ltd ("Shangoni") dated 25 November 2013. We confirm that we have to date not yet received the courtesy of a reply and/or any of the documents requested in paragraph 2 of our letter dated 3 September 2013.

In this regard, we still question the validity of your mandate to act on behalf of the previous parties cited as well as the new parties cited in your letter dated 25 November 2013 ("collectively referred to as "the parties") and request clarification of your legal standing to represent the said parties.

With regards to the remainder of your letter, the following:

**Specialising in Health and Safety Law**

Offices: 9 Pickard Street, Annlin, Pretoria, 0182  
Postal address: PO Box 35739, Annlin, 0182  
☎Tel: 071 643 5885 | T (012) 567-0132  
F 086 562 8136  
Email address: [christiebriel@restigen.co.za](mailto:christiebriel@restigen.co.za)

**Christie Briel (B.Proc)(UNISA)**  
OHSPROF Member and a registered Graduate Member of IOSH SA

- A copy of the Agenda to the meeting is attached hereto marked as annexure “A” for your kind attention;
- The Background Information Document (“BID”) which document was forwarded to yourself and the parties, on 30 October 2013 is quite self-explanatory but for ease of reference we refer you to the email sent with the BID that clearly states the following:

*“Please find attached a letter of notification and background information document regarding the application for a Mining Right, Water Use Licence and Environmental Authorisation for Ngululu Resources (Pty) Ltd.”*

Furthermore, the BID heading and introduction refers to a notice of application for an Environmental Impact Authorisation, Mining Right and Water Use Licence. This should clarify the purpose of the meeting to be held on 27 November 2013.

With regards to the other documents requested the following:

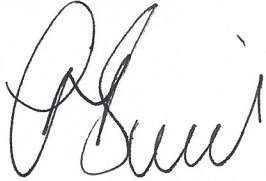
- A copy of the Scoping Report was provided to you on 26 August 2013;
- The EMP, Water Use Licence and Environmental Impact Assessment is in the process of being compiled and our client will provide these documents to the registered interested and affected parties, as and when it is expected from them in terms of the legal process dictated in the relevant legislation;
- Further to your request for *“all relevant documentation and correspondence concerning the application for a mining right by the applicant in this matter as well as all correspondence and documentation concerning any proposed application in terms of NEMA and the National Water Act”* you are advised to contact the Information Officer at the relevant state department and follow the process as contained in the Promotion of Access to Information Act 2 of 2000 (“PAIA”).

Lastly, we confirm that Restigen (Pty) Ltd (“Restigen”) is a private company duly registered and incorporated in terms of the laws of the Republic of South Africa with registered address 9 Pickard Street, Annlin, Pretoria. Pierre Briel is a director of the said company and the *“function”* of Pierre Briel as director of Restigen is to manage and facilitate the mining right application process on behalf of the applicant and to appoint an Independent Environmental Assessment Practitioner (“EAP”) i.e. Shangoni Management Services (Pty) Ltd.

We trust that you find this in order and await to hear from you as a matter or urgency.

Yours faithfully,

Christie Briel

A handwritten signature in black ink, appearing to read 'Christie Briel', written in a cursive style.

**Proposed Agenda for Public Participation Meeting to be conducted on 27/11/2013**

- Purpose of the meeting
- Background to the project
- Project description
- NEMA: Environmental Impact Assessment
- MPRDA: Environmental Management Programme
- Water Use License
- Feedback on specialist studies
- Expected impacts
- Process to be followed going forward
- Closure