

**INZALO CRUSHING AND AGGREGATES (PTY) LTD**

**MINING PERMIT APPLICATION TO MINE STONE  
AGGREGATE/ GRAVEL ON A PORTION OF PORTION  
15 ON FARM RIETSPRUIT 437, IS, MSUKALIGWA  
LOCAL MUNICIPALITY, MPUMALANGA PROVINCE**

**COMMENTS AND RESPONSE REPORT**

**DEPARTMENTAL REFERENCE NUMBER:**

**MP 30/5/1/3/2/13080 MP**

**DECEMBER 2021**



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

*COMMENTING PERIOD: 9 DECEMBER 2021 – 31 JANUARY 2022*

During the public participation process the stakeholders and I&AP's were informed of the project by means of background information documents that were sent to the contact persons. A 30-days commenting period was allowed which expired on 31 JANUARY 2022. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

<b>STAKEHOLDERS</b>			
<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION/KEY STAKEHOLDER STATUS</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Ms S P Xulu	Department of Agriculture, Rural Development, Land & Environmental Affairs	9 December 2021	No Comments Received
Me Pumelo Thabile Mahlaku	Department of Economic Development, Environment and Tourism	9 December 2021	No Comments Received
Mr Maluleka	Department of Economic Development, Environment and Tourism – Environmental Impact Management	9 December 2021	No Comments Received
Ms Fikile Sengwayo	Department of Public Works, Roads and Transport	9 December 2021	No Comments Received
Mr M Mulaudzi	Department of Water & Sanitation	9 December 2021	No Comments Received

<b>STAKEHOLDERS</b>			
<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION/KEY STAKEHOLDER STATUS</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Ms Zithini Dlamini	Department of Agriculture, Rural Development, Land and Environment	9 December 2021	No Comments Received
Mr Richard Mokoena	Department of Labour	9 December 2021	No Comments Received
Mr Kunene	Gert Sibande District Office	9 December 2021	No Comments Received
Mr M.G. Chirwa	Gert Sibande District Municipality	9 December 2021	10 January 2022
<p>Response received from Lindokuhle Magagula - Gert Sibande District Municipality:</p> <p>Gert Sibande District Municipality as a stakeholder and commenting party would like to enquire on whether a public participation meeting has been conducted for the proposed project and if not will one be held and when?</p>			
<p>Response from Greenmined:</p> <p>Thank you for your email. There is no public participation meeting scheduled at this stage. We will send you a link with the DBAR as soon as it is available, please send us your comments thereafter. Should you require a meeting with the EAP, kindly send us three possible dates for a zoom meeting after the commenting period ends on 31 January 2022.</p>			

<b>STAKEHOLDERS</b>			
<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION/KEY STAKEHOLDER STATUS</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Mr Phiwokuhle Brian Nkosi	Gert Sibande District Municipality - Planning	9 December 2021	No Comments Received
Mr BC Sibeko	Msukaligwa Local Municipality	9 December 2021	No Comments Received

<b>LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES</b>			
<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION /PROPERTY DESCRIPTION</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Cllr Bongani Gladwell Motha	Msukaligwa Local Municipality Ward Councillor 8	9 December 2021	No Comments Received
Me Lydia Zeko	Eskom	9 December 2021	17 January 2022

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

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
<p>Response received from Herry Ludere - Eskom:</p> <p>Please receive attached Eskom Distribution Consent Letter, Annex D &amp; E and map layout. If you accept Eskom's condition please complete Annex D and E and send back to me before commencement of the project.</p> <p>Note : Eskom's Distribution consent doesn't relieve the applicant from obtaining the necessary statutory, land owner or municipal approvals.</p> <p>We thank you and hope that you find the above in order, and please don't hesitate to contact us should you've any queries or seek clarity</p>			
<p>Response from Greenmined Environmental – 9 February 2022</p> <p>Your email dated 17 January 2022 refers.</p> <p>Your comments and conditions will be send to the applicant for further handling.</p> <p>We thank you for taking part in the public participation process.</p>			
<p>Upload onto South African Heritage Resource Agency on 9 December 2021</p>			
Gerhard Scheepers Trust	Land owner	9 December 2021	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>
De Era Trust	Surrounding Land Owner	9 December 2021	No Comments Received
Oubaas De Jager Familie Trust	Surrounding Land Owner	9 December 2021	No Comments Received
Me Rachel Monica Phumzile Khanyi	Surrounding Land Owner	9 December 2021	No Comments Received
Mr Karel Stefanus Erasmus	Surrounding Land Owner	9 December 2021	26 January 2022

Response received from Elsa Erasmus - Mr Karel Stefanus Erasmus

What specialized studies have been completed? Need to see those specialized studies in order to understand the impact on my farm and to comment on it.

My concerns is that you are not conducting full EIA which requires specialized studies to be completed. My concerns is also that no proper consultation will conducted with me and that I would not be able to comment on all the specialized studies that you are required to complete. Please see the attached sheet.

I, Karel Stefanus Erasmus, a farmer adjacent to Portion 15 on Farm Rietspruit objects to the application for mining permit by Inzalo Crushing and Aggregates (Pty) Ltd based on the following ground:

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It is not evident from your Background Information Document what specialized studies will or have been conducted. It is important for me to understand what detrimental affects your project will have on my farming, I would therefore like to see what specialist studies have been conducted and I would like the opportunity to comment on those specialized studies.

What impact will your project have on the adjacent water course? Have you completed any specialized studies assessing what impact your activity will have on the downstream water course?

Also, the area which you are proposed to mine is within 600 meters from my farm building and I do fear that the blasting will cause damage to the infrastructure. Are you going to apply for the 500m blasting permit and also? I would like to see the blasting risk assessment that you have compiled in this regard?

I would appreciate if you can provide me with the information requested in order for me to review the full set of identified impacts and mitigation measures proposed.

Response from Greenmined:

The above matter as well as the letter received from you dated Monday 26 January 2021 refers. We thank you for your valuable participation and for submitting comments. Please see the responses to your comments below.

It is important to note that the Background Information Document dated 9 December 2021 is a document providing background for the first phase of this proposed project. More information relating to the project will be provided in the Draft Basic Assessment Report. The purpose of the Background Information Document is to invite parties to register as interested and affected parties. The effects and the impacts of the proposed activity will only be assessed when the Draft Basic Assessment Report is compiled. All interested and affected parties, including yourself, will be afforded ample opportunity to comment on the proposed activity and its possible impacts.

We note your concern that we are not conducting a full Environmental Impact Assessment. Please note that the proposed project triggers five listed activities in terms of the National Environmental Management Act (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2014 (as amended 2017). These activities that are triggered, all fall under Listing Notice 1 and 3 of the EIA Regulations, which means that a Basic Assessment and not an EIA must be conducted.

The effects and impacts of the proposed activity will be assessed when the Draft Basic Assessment Report is compiled. Any further studies as proposed by you will then

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<p>be conducted during this phase should it be found applicable by the specialist in the particular field of expertise.</p> <p>The Background Information Document is compiled according to the screening report that shows which environmental theme will have a high sensitivity. Since the application is still in its early phases, we have appointed a wetland specialist to conduct a study that will include a comprehensive assessment of each watercourse and wetland as required by the relevant legislation and guidelines. This will be provided to all I&amp;AP's who will be allowed the opportunity to comment in the next 30-day commenting period. In terms of blasting, the legislation states that we require a permit when infrastructure is within 500 meters of the blasting site. However, a blasting specialist will be appointed before the commencement of any mining activities and the following will be implemented:</p> <ul style="list-style-type: none"> <li>Planning the type, duration, and timing of blasting with due cognizance of other land users and structures in the vicinity; and</li> <li>Informing the surrounding landowners and communities in writing ahead of any blasting event.</li> </ul> <p>If you are concerned about your infrastructure, the specialist will place a vibro-recorder near your farm building to test the vibration of the blast.</p> <p>We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties</p>			
Mr Sipho Samuel Mhlanga	Surrounding Land Owner	9 December 2021	No Comments Received
Dulobase Pty Ltd	Surrounding Land Owner	9 December 2021	No Comments Received



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

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Magagula Family Communal Prop Assoc	Surrounding Land Owner	9 December 2021	No Comments Received
Wouter Kuhn Trust	Surrounding Land Owner	9 December 2021	No Comments Received
Mr Inus De Wit	I&AP	Registered as an I&AP on 30 March 2021	
Mr Johan van Greunen	Rietspruit Crushers PTY LTD	20 January 2022	

Dear Sonette

Your notice of application in terms of section 27 of the Minerals and Petroleum Resources Development Act for Inzalo Crushing and Aggregates (Pty) Ltd – MP 30/5/1/3/2/13080 MP bears reference.

Rietapruit Crushers, is a miner and supplier of sand and aggregate products based in Ermelo and has been in operation for more than 40 years. We have a long and proud record of creating jobs and empowering the community and intent on doing so for another 40 years.

Rietspruit Crushers would like to officially register as an interested and affected party and lodge our objection to the mining permit applications made by Inzalo Crushing and Aggregates (Pty) Ltd for “Dolerite, Gravel and Sand” on Portion 15 of the farm Rietspruit 437 IS, in the magisterial district of Ermelo, Mpumalanga. The proposed

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mining permit area is situated on the farm portion adjacent to Rietspruit Crusher mining licence area.

We are not in favour of your application and will oppose it. The basis of our objection is as follows:

**1. Environmental Studies:**

In your notification you stated that the proposed project trigger listed activities and therefore requires full Environmental Impact Assessment (EIA) to be conducted. We agree with this point however, further in the document you kept referring to a draft Basic Assessment that will compiled for this project. Due to the listed activities that will be triggered a Basic Assessment will not be sufficient and a full EIA will need to be completed. In your Background Information Document, you do not mention what critical specialist studies will be conducted. In these studies, we are supposed to see what the impacts of your mine will have on the following categories:

- Air quality
- Archaeology
- Surface Water
- Groundwater
- Ecology
- Land use & planning
- Waste management
- Economy
- Noise
- Soil
- Visual
- Quality of life
- Nuisance

In your notification you do not state that you will apply for a water use license in terms of section 40 of the National water Act, 36 of 1998. We find this to be of concern due to the fact that your proposed pit will be within 500m from the delineated riparian and/or wetland zone pertaining to a water body (be it a wetland, pan perennial or non-perennial water course or the like). Note, that under the latest DWS requirement the 500m is not from the centre of the relevant water body, but from the edge of the

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delineated riparian and/or wetland zone as defined by the relevant regulation. However, your notification omits the following critical studies which forms part of the application for a water use license. These studies include:

- Wetland delineation study
- Biodiversity and Ecology study
- Soil Study
- Geohydrological study

As interested and affected parties Rietspruit Crushers require to see what impacts have been identified by all the necessary specialist studies which you should have conducted and how will these impact be addressed. In the absence of any specialist studies, Rietspruit Crushers will be lead to the conclusion that the impact of the mining and operational activities will be detrimental to the environmental and also that the guidelines for applying for a water use license was not following which cause Rietspruit Crushers to further object to this application for a mining a permit. In your notification you failed to indicate any maps or diagrams indicating the relevant buffer zones around the relevant water bodies. Therefore, Rietspruit Crushers can only deduce that the required mandatory specialist studies have not been conducted therefore Rietspruit Crushers is not awarded the opportunity to comment on the impacts of the mine and what mitigations measures have or are proposed to minimise and reduce the impacts.

You have also omitted the fact that a full Environmental Impact Assessment will have to be conducted due to the fact that the activities on your mining premises will trigger GNR 984 Listing Notice 2 Activity 21 IN ADDITION TO GNR 983 Activities 21, 22 and 35 listing Notice 1. You do not state in the notification of Inzalo Crushing and Aggregates (Pty) Ltd intention to apply for a mining permit that this process will be followed and that all the mandatory specialist studies will be conducted. This point also emphasized the fact that you are failing to provided Rietspruit Crushers the opportunity to provide informed comments on your application.

**2.Socio-economic Impact**

It is clear to Rietspruit Crusher that the necessary socio-economic impact studies have been omitted from the mining permit application. These studies should include:

- Social and labour impact study
- Marketing survey and analysis

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**CONTACTED DATE**

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Failure to conduct such studies indicates that you have not adequately considered the financial feasibility of a second quarry in the Msukwalikwa area, especially in close proximity to an already established quarry, and if such a quarry, and if such a quarry will be able to operate profitably in an already constrained market. It also indicates that you have not considered the effect that a second quarry will have on Rietspruit Crushers and the potential job losses which Rietspruit Crushers may then face as a consequence. Therefore, you have not considered the negative impact which your quarry will have on the local employment in the area.

It should be noted that Rietspruit Crushers has been mining and producing aggregates for over 40 years and over that span Rietspruit Crushers has experienced the full swing of the volatility in the market. Despite the necessary socio-economic studies not being conducted or the failure to even consider conducting these studies, this amplifies the point that you have not taken due care in considering the market in which you want to operate and that you are ill-informed on the sustainability of a second quarry in Ermelo

**3. Abusing of the mining permit system**

Further to Rietspruit Crushers objection is the fact that you're the 5th application for a mining permit in the last ten years on this portion. This is a clear abuse and violation of the intent behind the mining permit application of the Department of Mineral Rights. A mining permit is valid for the period specified in the permit which may not exceed a period of two years and may be renewed for three periods each of which may not exceed one year. A mining right is granted for larger operations and longer periods (more than 2 years). For what you are planning it is clear that you do not want to apply for a full mining right and that you are attempting to by-pass the requirements by applying for a mining permit. This indicates that you do not want to compete on a level playing field with Rietspruit Crushers and comply with all the necessary regulations which you would need to comply with when you have a mining right. This improper.

The points raised here are not exhaustive. Even so we feel it is sufficient reason for us to oppose your application in its current form. Should there be any change and/or amendment to your documentation arising from this process, please forward it to us. We would appreciate your formal acknowledgement of receipt of our comments as well as any feedback pertaining to it within 10 working days.

Kind regards

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

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Response from Greenmined – 31 January 2022

Dear Sir,

RE NOTICE OF APPLICATION IN TERMS OF SECTION 27 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT 28 OF 2002 (“MPRDA”) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998 (“NEMA”) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED 2017)

We refer to the above matter and your letter dated 20 January 2022. We take note of the contents of your abovementioned letter and wish to reply to your objections on a point-by-point basis.

From the outset it is important to note that the Background Information Document dated 9 December 2021 is a document providing background for the first phase of this proposed project. More information relating to the project will be provided in the Draft Basic Assessment Report. The purpose of the Background Information Document is to invite parties to register as interested and affected parties. The effects and impacts of the proposed activity will only be assessed when the Draft Basic Assessment Report is compiled. All interested and affected parties will be afforded ample opportunity to comment on the proposed activity and its possible impacts.

Environmental Studies:

In your letter, you state the following:

In your notification you stated that the proposed project triggers listed activities and therefore requires [a] full Environmental Impact Assessment to be conducted. We agree with this point however, further in the document you kept referring to a draft Basic Assessment that will [be] compiled for this project. Due to the listed activities that will be triggered a Basic Assessment will not be sufficient and a full EIA will need to be compiled. The full EIA which is required will be based on specialist studies that will have to be completed. In your Background Information Document, you do not mention what critical studies will be conducted. In these studies, we are supposed to see what the impacts of your mine will have on the following categories: air quality, archaeology, surface water, groundwater, ecology, land use & planning, waste management, economy, noise, soil, visual, quality of life and nuisance.

**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>
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As stated in the Background Information Document, the proposed project triggers five listed activities in terms of the National Environmental Management Act (Act 107 of 1998) (hereinafter referred to as “NEMA”) and the Environmental Impact Assessment Regulations 2014 (as amended 2017) (hereinafter referred to as the “EIA Regulations”). These listed activities are: GNR 327 Listing Notice 1 of 2017 Activity 21, GNR 327 Listing Notice 1 of 2017 Activity 27, GNR 327 Listing Notice 1 of 2017 Activity 28, GNR Listing Notice 1 of 2017 Activity 35 and GNR Listing Notice 1 of 2017 Activity 4(f)(i)(ee).

It is common cause that activities which fall under Listing Notice 1 of the EIA Regulations do not require the full EIA process, but rather the Basic Assessment process. Accordingly, an EIA need not be conducted for the proposed project, as none of the proposed activities trigger an activity under Listing Notice 2 of the EIA Regulations.

It is evident from the Background Information Document that, in line with the relevant legislation and regulations, provision will be made for the basic assessment process that assess project specific environmental impacts and alternatives, consider public input and propose mitigation measures to ultimately culminate in an environmental management programme that informs the competent authority (the Department of Mineral Resources and Energy) when considering the environmental authorisation.

Again, we reiterate that the Background Information Document merely serves as a means to provide background information for the purpose of the first phase of this proposed project. The effects of the impacts of the proposed activity will be assessed when the Draft Basic Assessment Report is compiled. Any further studies as proposed by you will then be conducted during this phase should it be found applicable by the specialist in the particular field of expertise.

Furthermore, you state that the proposed project will trigger Listing Notice 2 Activity 21. This is incorrect, seeing as this activity was repealed in 2021.

You further state under this heading that an application for a water use license in terms of section 40 of the National Water Act 36 of 1998 (“NWA”) will have to be brought in relation to the proposed project, seeing that the “proposed pit will be within 500m from the delineated riparian and/or wetland zone pertaining to a water body”. We do not dispute the fact that a water use license will be necessary in the event of the occurrence of such an activity. However, the proposed project does not fall within 500 meters from the delineated riparian and/or wetland zone. A wetland study is currently being undertaken in order to corroborate this statement and more information in relation thereto will be available in the Draft Basic Assessment Report. Should an application in terms of section 40 of the NWA be necessary, this will be set out in the Draft Basic Assessment Report.

Social-economic impact

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**CONTACTED DATE**

**RESPONSE RECEIVED**

You state that the necessary socio-economic impact studies have been omitted from the mining permit application and that these studies should include a social and labour impact study and a marketing survey and analysis.

As mentioned in the Background Information Document, the aggregate to be removed from the quarry will be used for local construction and building projects in the vicinity. Should any additional workers be required for this project, they will be sourced from the local community. Due to the small size of the proposed operation, we are of the opinion that these studies are not required.

We will, however, consult with an expert specialist in this particular field and elaborate on the above in the Draft Basic Assessment Report.

Abusing of the mining permit system

The area lends itself to prospecting and mining. Inzalo Crushing and Aggregates (Pty) Ltd has no intention of mining in the area for a period longer than five years and in an area that is larger than 4.9 ha.

We cannot comment on the intention of other companies in the past.

We trust you find the above in order

Me Elsa Erasmus registered the following I&APS on 26 January 2022:

Mr George Ronquesr

Mr Christo Clark

Mr Jannie Myburgh

Mr Kerneels van Rensburg

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<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION /PROPERTY DESCRIPTION</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Mr Riaan van Rensburg Me Rika Hamman Mr Werner Labuschagne			
Mr George Ronquest	Registered I&AP	9 February 2022	No Comments Received
Mr Christo Clark	Registered I&AP	8 February 2022	No Comments Received
Mr Jannie Myburgh	Registered I&AP	8 February 2022	No Comments Received
Mr Kerneels van Rensburg	Registered I&AP	8 February 2022	No Comments Received
Mr Riaan van Rensburg	Registered I&AP	8 February 2022	No Comments Received



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<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION /PROPERTY DESCRIPTION</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Me Rika Hamman	Registered I&AP	8 February 2022	No Comments Received
Mr Werner Labuschagne	Registered I&AP	8 February 2022	No Comments Received

**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 background Information Document (email);
- placement of on-site notices; and
- placement of an advertisement in Highveld Tribune on 14 December 2021.

Response received from:

Gert Sibande District Municipality

Eskom

Mr Karel Stefanus Erasmus

## SUMMARY OF PARTICIPATION PROCESS

Mr Inus De Wit  
Rietspruit Crushers PTY LTD

The Draft Basic Assessment Report (DBAR) was subsequently compiled and will be distributed for comment and perusal to the I&AP's and stakeholders listed above. A 30-day commenting period will be allowed for perusal of the documentation and submission of comments. The comments received on the DBAR will be incorporated into the Final Basic Assessment Report (FBAR) to be submitted for decision making to DMRE.

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

**-END OF COMMENTS AND RESPONSE-**