

OTTER MIST TRADING 1057 (PTY) LTD

**PROPOSED DOLERITE MINE ON A PORTION OF THE
REMAINING PORTION OF THE FARM RHENOSTERKOP NO
155, REGISTRATION DIVISION OF BEAUFORT WEST,
WESTERN CAPE PROVINCE**

COMMENTS AND RESPONSE REPORT

REF NO: WC30/5/1/3/2/10319MP

APRIL 2023






NOTIFICATION OF STAKEHOLDERS AND I&AP'S OF THE ENVIRONMENTAL AUTHORISATION/MINING PERMIT APPLICATION

COMMENTING PERIOD: 24 MARCH – 26 APRIL 2023

During the public participation process the stakeholders and I&AP's were informed of the availability of the Draft Basic Assessment Report by means notification letters send via email. A 30-days commenting period was allowed which expired on 26 April 2023. The project was advertised in The Courier Newspaper on 24 March 2023, and site notices were placed at the entrance to the site as well as the Beaufort West Library. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr J Jonker	Central Karoo District Municipality	24 March 2023	No Comments Received
Email notification and Regulation 2.2 Map of the DBAR was send to Mr Koopman from Central Karoo District Municipality on 18 April 2023 as requested by Mr Lund (Surrounding Landowner)			
Mr Haarhoff	Beaufort West Local Municipality	24 March 2023	No Comments Received
Cllr Derick Welgemoed	Beaufort West Local Municipality Ward 2	24 March 2023	No Comments Received

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Me Waseefa Dhansay	Heritage Western Cape	24 March 2023	24 March 2023
Me Waseefa Dhansay from Heritage Western Cape requested proof of NID submission on 24 March 2023			
Proof of NID submission was send 28 March 2023			
HWC confirmed since there is no reason to believe that proposed mining on Remainer of Rhenosterkop 155, Beaufort West will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.			
Me Alana Duffell-Canham	Cape Nature	24 March 2023	No Comments Received
Mr Benjamin Walton	Cape Nature - George	24 March 2023	5 April 2023
Me Megan Simons from Cape Nature – George requested a WeTransfer link and kmz or shapefile for the proposed mining area.			
Greenmined Environmental sent a WeTransfer link and kmz file for the proposed mining area was sent to Cape Nature – George on 5 April 2023			

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Me Megan Simons, acknowledged receipt of link.			
Mr Cor van der Walt Me Mashudu Marubini Me Phyllis Pienaar	Department of Agriculture, Land Reform & Rural Development <ul style="list-style-type: none">  Cape Town  Pretoria  Beaufort Wes 	24 March 2023	24 March 2023
Me Samantha Phologane from Department of Agriculture, Land Reform & Rural Development requested a hard copy/CD/memory stick of the DBAR			
Greenmined Environmental send a Memory stick via courier on 29 March 2023 and a We Transfer link on 3 April 2023.			
<p>Department of Agriculture, Land Reform & Rural Development, Directorate: Land and Soil Management administer and implement the Conservation of Agricultural Resources Act, (CARA, Act 43 of 1983). The Act is regarded as one of the principal Acts governing the protection of agricultural and other natural resources. The main aim of the Act is to control the utilization of natural agricultural resources to ensure the conservation of soil, water and vegetation, as well as the combating of alien and invasive plants. According to Section 1 of the Act, the conservation of natural agricultural resources includes the protection, restoration as well as reclamation thereof.</p> <p>The objectives of the CARA are to provide for the conservation of natural agricultural resources through maintaining the production potential of the land, combating and preventing erosion, preventing the weakening or destruction of the water resources, protecting the vegetation and combating weeds and invader plants.</p> <p>The proposed mining activities include drilling and blasting the hard rock to loosen it and transporting it to the crushing plant where the materials will be stockpiled until it is transported from the land concerned. Furthermore, this includes clearing vegetation, stripping and stockpiling topsoil. The proposed</p>			

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			<p>duration of the dolerite mining will be at least two years with concurrent rehabilitation throughout the mining activities where needed for future land use such as for agriculture. Hence, the aforementioned proposed development will trigger activities regulated by the CARA and its regulations.</p> <p>The land user is therefore advised to observe and adhere to the following requirements and recommendations before the commencement of the aforementioned activities.</p> <p>The draft BAR indicates the land concerned is an undisturbed and inactive area of the farm, and has an extremely low agricultural production potential. However, the applicant must ensure the surrounding agricultural land is not severely impacted by the proposed mining activities.</p> <p>The draft BAR makes provision for soil erosion control measures, storm water run-off control measures and monitoring for soil erosion during the various phases of the development as per regulations 4 and 5. However, kindly note these measures must be clear and provide sufficient information or instruction to enable effective implementation.</p> <p>According to the CARA regulations, the land user must protect his farm unit against excessive soil loss as a result of erosion through the action of water and wind. Measures that may be applicable are; -</p> <ul style="list-style-type: none"> - a suitable soil conservation work to be constructed and thereafter be maintained to divert run-off water from other land or to restrict the run-off speed of run-off water, - the placement of protection berms where needed, - to establishment permanent cover vegetation to prevent soil erosion, - suitable windbreaks to be constructed or suitable vegetation to be established to serve as a windbreak. <p>The delineation and buffering of water courses where possible are recommended as per regulation 7 of the CARA. Furthermore, provisions should be made to ensure that the water courses on the land concerned are not severely impacted by the mining activities in a manner that will constitute an obstruction during a flood that could cause excessive soil loss and deterioration.</p> <p>Moreover, any activities concerning water course crossings should be in a manner that does not result in excessive soil erosion and sedimentation downstream in any of the water courses on the land concerned.</p> <p>The draft BAR makes provision for rehabilitation where needed during the various phases of the development which is per regulations 13 and 14 of the CARA regulations. Rehabilitation measures should be clear and provide sufficient information or instruction to enable effective implementation.</p> <p>All slopes and degraded areas should be rehabilitated before the onset of the rainy season to prevent surface water run-off and top soil should be utilized as much as possible in these areas.</p>

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<p>The draft BAR makes provision for regular monitoring, management and rehabilitation of soil erosion throughout the proposed development as per regulations 4, 5 and 6 of the CARA regulations.</p> <p>Kindly note any rehabilitation and remedial action concerning soil erosion in the event it does occur needs to be in accordance with regulation 14 of the CARA. According to Regulation 14 (1) "If a land user disturbs or denudes any land on his farm unit for purposes other than prospecting or mining activities; (c) - such land user shall by means of as many of the following measures as are necessary in his situation, effectively restore and reclaim that disturbed or denuded land. (i) Topsoil shall be removed and kept separate with a view to replacing it later on the disturbed or denuded land. (ii) Topsoil shall be used to stabilize the sides of a hollow that has been caused by the exploitation or removal of material and, where possible, to reclaim part of the disturbed or denuded land. (iv) The flow pattern of run-off water, the topography and the slope shall, depending on the volume of material exploited or removed, be restored as closely as possible to the original condition. (v) Suitable vegetation shall be established on the land concerned in order to expedite the restoration and reclamation thereof. (vii) A suitable soil conservation work shall be constructed and thereafter be maintained in order to protect the land concerned against excessive soil loss through the action of water and wind or in order to collect sediment from run-off water."</p> <p>Weeds and invasive plants present on the land concerned need to be controlled and removed annually through continuous monitoring and maintenance programs as they can cause damage to the surrounding natural vegetation. According to the Conservation of Agricultural Resources Act, (Act 43 of 1983), Regulation 15E methods of controlling weeds and alien plants are as follows:</p> <p>Uprooting; felling; cutting or burning</p> <p>Treatment with a weed killer that is registered for use in connection with such plants per the directions for the use of such</p> <p>Biological control is carried out per the stipulations of the Agricultural Pests Act, (Act no 36 of 1983)</p> <p>Combination of one or more methods mentioned above, and any action taken to control alien plants shall be executed with caution and in a manner that will cause the least possible damage to the environment.</p> <p>Provision is made for the implementation of an invasive plant management plan as per regulation 15.</p> <p>The decommissioning phase makes provision for the rehabilitation (closure plan) of the land concerned which includes landscaping, levelling, top dressing, soil erosion control measures, land preparation, seeding (where needed) and maintenance, and clearing invasive plants. However, these activities must be clear and provide sufficient information and instruction to enable effective implementation.</p>			

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<p>Moreover, it is recommended that there is a commitment from the landowner for ongoing monitoring of the site after the closure of the proposed mining activities with a focus on soil erosion mitigating measures.</p> <p>Topsoil to be excavated must be managed efficiently to prevent the decrease of topsoil quality and quantity hence concurrent rehabilitation during the lifecycle of the development is supported. The draft BAR makes provision for the management of top soil as per regulation 14.</p> <p>The restoration or reclamation of eroded land; Regulation 13, sub-regulation 1 & 2. (1) "Every land user shall by means of as many of the measures set out in regulations 4,5 and 9 as area necessary in his situation, effectively restore and reclaim the land on his farm unit on which excessive soil loss due to erosion occurs or has occurred. (2) If the executive officer is satisfied that the measures applied by a land user in a particular case in terms of sub-regulation (1) are not sufficient to restore or reclaim land on which excessive soil loss due to erosion occurs or has occurred, he may direct such land user in writing to apply such additional measures as the executive officer may determine."</p> <p>The applicant should contact the Sub-division section of the Directorate: Land and Soil Management for consent in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970).</p> <p>This office does not object to the proposed development provided the inputs or comments given in the aforementioned is taken into account.</p> <p>The Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.</p>			
<p>Response from Greenmined Environmental:</p> <p>Thank you for taking part in the public participation process. Your comments have been received and will be addressed in the Final Basic Assessment.</p>			
Me Lutendo Netshilema	Department of Agriculture Forestry and Fisheries	24 March 2023	No Comments Received

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Mr R Khan	Department of Human Settlements Water and Sanitation	24 March 2023	No Comments Received
Mr Solly Fourie	Department of Economic Development and Tourism	24 March 2023	No Comments Received
Me Adri LaMeyer	Department of Environmental Affairs and Development Planning - Western Cape	24 March 2023	26 April 2023

RE: COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT WITH RESPECT TO THE MINING PERMIT APPLICATION ON A PORTION OF THE REMAINING PORTION OF THE FARM RHENOSTERKOP NO. 155, BEAUFORT WEST (DMRE REF: WC 30/5/1/3/2/10319 MP).

The above matter as well as letter received from you dated 26 April 2023 refers. Please see responses to your comments listed below:

- The email notification of 24 March 2023 informing the Department of the availability of the Draft Basic Assessment Report (“BAR”) for comments refers.
- Please find consolidated comments from various directorates in the Department on the Draft BAR and associated Environmental Management Programme (“EMPr”) dated March 2023 that was available for download from the website of the environmental assessment practitioner (“EAP”).
- Directorate: Development Management (Region 3) – Mr Steve Kleinhans (Email: S teve.Kleinhans@westerncape.gov.za; Tel.: (044) 814 2022)

3.1 According to the information in the Draft BAR, the quarry is proposed to be located on an undeveloped and inactive area on the property. In this regard, it is noted that an Agricultural Compliance Statement was commissioned to inform the Draft BAR. According to the Agricultural Compliance Statement, the low rainfall and high evaporation as well as the soil and terrain are limiting factors, with the land classified as having a long-term grazing capacity of 24ha per large stock units. The Statement concludes that the loss of land due to the proposed mining activities are relatively small and that the

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<p>loss of agricultural production potential, is insignificant. However, according to the Agricultural Compliance Statement, the creation of any significant post-mining soil cover on the quarry site will practically be impossible given the nature of the hard dolerite rock. This contradicts the information in the Draft BAR which indicate that agricultural land will be reinstated.</p> <p>3.2. Considering the above, the EAP must specify practicable measures to ensure that the disturbed land can be restored to a functional agricultural use. These measures must address the landscaping and profile of the disturbed area, as well as the soil restoration.</p> <p>3.3. It is understood from the Aquatic Ecological and Impact Assessment compiled by The Biodiversity Company dated March 2023 that the proposed access road to the proposed quarry will cross numerous non-perennial drainage lines and a river. In terms of in Notice 509 of 2016 in Government Gazette No. 40229 of 16 August 2016, any work being undertaken within the “regulated area of a watercourse” for section 21(c) or (i) water uses in terms of section 21 of the National Water Act, 1998 (Act No. 36 of 1998) (“NWA”), requires a water use authorisation. The “regulated area of a watercourse” is defined in Notice 509 of 2016 as:</p> <p>(a) The outer edge of the 1: 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam.</p> <p>(b) In the absence of a determined 1: 100-year flood line or riparian area, the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the NWA).</p> <p>(c) A 500m radius from the delineated boundary (extent) of any wetland or pan.</p> <p>In this regard, it is noted that a Risk Matrix Assessment has been completed, which found that the impacts on the aquatic features are deemed to be “low” if the mitigation measures are implemented. This Directorate is satisfied with the findings of the Aquatic Ecological and Impact Assessment; however, it must be ensured that the water uses are authorised/ registered with the relevant water licensing authority and monitored as required.</p> <p>3.4. According to the Terrestrial Biodiversity Impact Assessment compiled by EcoFloristix Specialist Botanical Consulting dated March 2023, the establishment and operation of the proposed mine will impact on five provincially protected species, none of which are species of conservation concern. Notwithstanding this, please be informed that endangered and protected species listed in schedules 3 and 4 of the Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000) may not be picked or removed without the relevant permit from CapeNature. Furthermore, the description of the search and rescue procedure for each of the relevant species is inadequate and must be described in more detail in the EMPr.</p>			

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<p>3.5. The Terrestrial Biodiversity Impact Assessment also indicates that the impacts on vegetation during the construction and operational phases are likely to be relatively high (medium after mitigation) and difficult to mitigate given the destructive nature of the mining activities. The Terrestrial Biodiversity Impact Assessment does indicate that the affected vegetation and plant communities have a larger extent, and that the footprint of the mining area is relatively small. The specialist assessment and Final BAR must provide a clearer context and demonstrate to what level the rehabilitation can be achieved.</p> <p>3.6. The Directorate notes that only one site alternative was deemed viable in the Draft BAR, although two site alternatives were initially considered. The Terrestrial Biodiversity Impact Assessment failed to assess an alternative location for the mine to avoid or minimise the impacts on vegetation and plant communities.</p> <p>3.7. The following should be considered upon completion of the mining activities:</p> <p>3.7.1. The site (including the extent of the mining area, buffer areas and access roads) must, as far as possible, be restored to its pre-mining condition. In this regard, the original topography must as far as possible be restored, and no significant depression should be left in the landscape. After rehabilitation, the final extent of the mining area may not show evidence of mining activities or a cut face, with a preferred slope of 1:10, but no steeper than a slope of 1:5 (1v:5h).</p> <p>3.7.2. The mining area must be rendered free draining during the operational phase and upon closure of each phase of mining.</p> <p>3.7.3. Original topsoil must be placed on all disturbed areas.</p> <p>3.7.4. The area must be rehabilitated with an assortment of grass species as recommended in the Terrestrial Biodiversity Impact Assessment. In addition, locally occurring indigenous plant species should also be used. However, no alien plant species may be used for rehabilitation purposes.</p> <p>3.7.5. Measures to prevent/minimise erosion must be implemented in areas susceptible to erosion, particularly the period before the vegetation established itself on the disturbed area.</p> <p>3.8. It is noted that the quantum to manage and rehabilitate the site has been calculated as R612 500 per annum. However, no provision is made for the rehabilitation of access roads or watercourse crossings. It must be ensured that there are adequate finances available to cover all costs associated with the rehabilitation of the mine and ensure that effective rehabilitation of the site takes place when mining activities are completed.</p> <p>3.9. The following should be considered in the cost estimate for the rehabilitation:</p>			

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3.9.1.	Re-shaping of slopes.		
3.9.2.	Scarifying of hardened surfaces.		
3.9.3.	Placement of topsoil.		
3.9.4.	Re-seeding of disturbed areas.		
3.9.5.	Implementation of erosion prevention/ minimisation measures.		
3.9.6.	Removal of gravel from access roads (where necessary) and scarifying of hardened surfaces due to vehicular movement.		
4.	Directorate: Development Facilitation – Ms Adri La Meyer (Email: A dri.Lameyer@westerncape.gov.za; Tel.: (021) 483 2887):		
4.1.	It is noted that Activities 21, 24, 27 and 28 of Listing Notice (“LN”) 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) Environmental Impact Assessment (“EIA”) Regulations, 2014 (as amended) are applied for. Please be advised that further amendments to the NEMA EIA Regulations, 2014 (as amended) and Listing Notices were published in Government Notice No. 517 of 11 June 2021. Activity 21 of LN 1 has been amended to read: “Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, as well as any other applicable activity as contained in this Listing Notice or in Listing Notice 3 of 2014, required to exercise the mining permit.” Please correct the description of Activity 21 of LN 1 in the Final BAR..		
4.2.	Furthermore, Activity 21 of LN 1 is a now “catch all” activity for other listed activities in Listing Notices 1 and 3 that are applicable to the application for environmental authorisation (“EA”). This means that Activities 27 and 28 of LN 1 of the NEMA EIA Regulations, 2014 (as amended) need not be applied for, provided that the impacts of said activities are being assessed in the Draft BAR.		
4.3.	Notwithstanding the above, please note that Activity 24 of LN 1 of the NEMA EIA Regulations, 2014 (as amended) would not have been the correct listed activity to apply for as the Draft BAR indicates that an existing farm road off the N1 would be upgraded and extended. Activity 24 of LN 1 refers to the development of a new road for which an EA was obtained for the route determination.		

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<p>4.4. Final comments on the Notification of Intent to Develop (“NID”) must be obtained from Heritage Western Cape (“HWC”) and included in the submission of the Final BAR to the competent authority. Please note that should HWC request the undertaking of any heritage, palaeontological or archaeological studies, these must be undertaken and released for stakeholder inputs via a Revised BAR.</p>			
<p>4.5. It is noted that dolerite will be loosened by blasting as part of the mining process, whereafter the material will be loaded and transported to the crushing plant on-site. Please indicate the anticipated depth of mining activities as this will determine the extent of rehabilitation required to “effectively restoring the mined area to allow the return of land use to agricultural purposes.”</p>			
<p>4.6. The Draft BAR states that “The annual amount required to manage and rehabilitate the environment was estimated to be R 612 500.” Table 2 of the Financial and Technical Competence Report (Appendix H) refers to a quarterly cost estimate of R415 000 and an estimated rehabilitation of R1 225 000. Please indicate how the annual amount of R612 500 was calculated?</p>			
<p>5. Directorate: Pollution and Chemicals Management – Ms Nabeelah Achmat (Email: Nabeelah.Achmat@westerncape.gov.za; Tel.: (021) 483 2975):</p>			
<p>5.1. This Directorate notes and supports the proposed mitigation measure objectives stipulated on page 47 of the Aquatic Ecological and Impact Assessment.</p>			
<p>5.2. Page 49 of the Aquatic Ecological and Impact Assessment indicates that “A stormwater management plan must be incorporated for the quarry operation (including pollution control facilities, attenuation ponds, separation of clean and dirty water etc.)”. The possibility of capturing, treating, and reusing the stormwater on-site should be considered. Water can potentially be reused on-site, which will aid in minimising on-site water demand.</p>			
<p>5.3. The proposed project will entail upgrading of an access road, crossing over local drainage lines and the Platdoring River. Potential impacts were identified relating to both the construction and operational phases. The Aquatic Ecological and Impact Assessment states that “A buffer zone of 15 m and 30 m was determined (Table 6-2) for the drainage lines and Platdoring River respectively” (page 38). It is imperative that the proposed buffers are always adhered to. Additionally, it should be noted that no work is to be completed in and around the river or local drainage lines until the appropriate authorisation is provided by the Department of Water and Sanitation.</p>			
<p>5.4. As mentioned on page 193 of the Draft BAR, the applicant is reminded to notify the Directorate: Pollution and Chemicals Management, and relevant authorities, should there be any accidental release of a hazardous substance during the lifecycle of the proposed mining activity, in terms of section 30 of the NEMA, 1998.</p>			

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<p>6. Directorate: Waste Management – Mr. Muneeb Baderoon (Email: Muneeb.Baderoon@westerncape.gov.za; Tel.: (021) 483 2965):</p> <p>6.1. According to the Terrestrial Biodiversity Impact Assessment, although no fatal flaws are evident for the proposed project, and development in the study area is considered acceptable, all prescribed mitigation measures and supporting recommendations must be strictly implemented. According to the Aquatic Biodiversity Impact Assessment, mitigation measures should aim to avoid or reduce potential negative impacts to air, water, land, ecology, and humans. As such, strict adherence to the management and mitigation measures proposed in the EMPr are essential to avoid and mitigate environmental impacts. The duties of the environmental control officer must therefore be strictly enforced through mechanisms establish in the EMPr.</p> <p>6.2. Stormwater will be diverted around the topsoil heaps and mining area to prevent erosion, whilst the design of the road will make allowances for stormwater management. To ensure that impacts on the environment caused by stormwater discharge is avoided, and to ensure that erosion is managed, the integrity of stormwater diversion infrastructure must be regularly inspected and suitably maintained as part of the EMPr requirements.</p> <p>6.3. Although clearing of vegetation will be limited to the proposed mining footprint and associated infrastructure, removed vegetation may be taken to a green/garden waste chipping facility for composting or be disposed of at an appropriately licensed waste management facility but may not be disposed of or dumped on adjacent land. The Municipality should be consulted for available options to deal with green waste in accordance with its organic waste diversion plan to divert organic waste from its landfills.</p> <p>6.4. It is apparent that annual environmental audits will be conducted, the bund area will be inspected at least weekly, whilst the rehabilitated area will be monitored for erosion for at least 12 months after reinstatement. These schedules should be consolidated into a checklist that will include all other possible inspections, checks, and audits, with the frequencies at which they will be conducted, to ensure ease of reference and tracking. The EMPr should require records of all these checks to be filed for presentation to the competent authority upon request thereof.</p> <p>6.5. It is noted that the chemical toilets to be placed on-site will be serviced by a registered contractor. All temporary toilets must be placed so they do not negatively impact surface and groundwater in the event of leaks.</p> <p>7. Directorate: Air Quality Management – Ms Nokulunga Goqo (Email: Nokulunga.Goqo@westerncape.gov.za; Tel.: (021) 483 6510):</p> <p>7.1. It is noticed from the Draft BAR that dust may be created during all phases of the project through the clearing of vegetation, mining (including blasting, crushing and screening) and loading of the stony material, sloping and shaping of the site to match the adjacent area during rehabilitation, as well as from large vehicles and equipment traversing and operating on-site. This Directorate recommends that measures to monitor and prevent fugitive dust emissions be implemented through dust suppression techniques as stipulated in the EMPr.</p>			

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<p>7.2. It is noted that blasting, the crushing plant, and the use of large vehicles and machinery for mining activities may cause significant noise on-site. This Directorate therefore recommends that:</p> <p>7.2.1. Noise monitoring be conducted, and measures put in place to minimise disturbing noise emissions.</p> <p>7.2.2. All activities be conducted during the day-time hours.</p> <p>7.2.3. Measures stipulated in the EMP of the proposed development be implemented strictly during all phases of the project.</p> <p>7.3. Noise generated on-site from all the proposed activities must comply with the Western Cape Noise Control Regulations Provincial Notice 200/2013.</p> <p>7.4. Potential air emissions will be in the form of dust pollution and exhaust fumes from vehicles and machinery. All potential air pollutants on site need to be monitored and if causing significant emissions, must be mitigated strictly.</p> <p>7.5. Please note that the abovementioned comments and recommendations do not pre-empt the outcome of the application. No information provided, views expressed and/or comments made by this Directorate should in any way be regarded as an indication or confirmation that additional information or documents will not be requested; or of the outcome of any application submitted to the competent authority.</p> <p>8. 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 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>			
<p>RE: COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT WITH RESPECT TO THE MINING PERMIT APPLICATION ON A PORTION OF THE REMAINING PORTION OF THE FARM RHENOSTERKOP NO. 155, BEAUFORT WEST (DMRE REF: WC 30/5/1/3/2/10319 MP).</p> <ul style="list-style-type: none"> • Comment noted please refer to Table 21: Summary of specialist reports in the FBAR, for practicable measures to ensure that the disturbed land can be restored to a functional agricultural use as specified by AIA specialist (Johann Lanz (Pr.Sci.Nat.) Soil Scientist. 			

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			<ul style="list-style-type: none"> • Comment noted please refer to Appendix P for proof of water use application submitted to the Department of Water and Sanitation. • Comment noted, endangered and protected species listed in schedules 3 and 4 of the Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000) may not be picked or removed without the relevant permit from CapeNature. This was made clear in the Terrestrial Biodiversity Impact Assessment Report, Appendix M2 section 3.3.1. for SCC (namely, "As such, it is very important to note that a permit may be required from local authorities to destroy or relocate any SCC") and for protected plant species (namely, "No person may sell, buy, transport, or harvest a protected plant without a permit from the relevant authority". This is again reiterated Appendix M2 in section 7. <p>The report has now been modified to make this more explicit, specifically in Appendix M2 in section 7, which now states: "Any individual of an SCC or protected plant species present on site requires a relocation or destruction permit (from CapeNature) to remove or destroy such an individual".</p> <p>The search and rescue procedures has now been updated to include detailed search and rescue procedures (specifically in Appendix M2 section 7.2, with subsections 7.2.1 and 7.2.2).</p> <ul style="list-style-type: none"> • As per Dr. Jan-Hendrik Keet author of the Terrestrial Biodiversity Impact Assessment "The plant community type that will be the most affected is the <i>Ruschia intricata</i> - <i>Aristida diffusa</i> type since it is characterized by unique microhabitat conditions, specifically large dolerite sheets with very shallow overlying soils. While it might prove very difficult to replicate these exact microhabitat conditions, it is highly probable that this type might be successfully rehabilitated to its closely related counterpart, namely the <i>Aristida diffusa</i> - <i>Aristida congesta</i> type. This is because the <i>Ruschia intricata</i> - <i>Aristida diffusa</i> type can be regarded as a subtype of the former, and manifests in the areas where soils become much more shallow than usual. Thus, while the rehabilitation and restoration potential are low for the <i>Ruschia intricata</i> - <i>Aristida diffusa</i> type, it is indeed moderate to high for the <i>Aristida diffusa</i> - <i>Aristida congesta</i> type. In this sense, the loss of one plant community type can be mitigated by a gain in another type. • The impacts on the <i>Aristida congesta</i> - <i>Asparagus burchellii</i> type are not as high as the aforementioned, since no actual mining will occur in it. Thus, it has a high rehabilitation potential. • The majority of the protected plant species found on site are easy to relocate and will likely have a high success rate if the advised relocation guidelines are followed. Only one species, namely <i>Gomphocarpus tomentosus</i> subsp. <i>tomentosus</i>, might prove difficult to relocate, but only if individuals have deep root systems that are difficult to remove without significant damage. If the appropriate relocation measures are implemented, then a good success rate might be achieved." • This will be added in the Final BAR.

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			<ul style="list-style-type: none"> • Comment noted, this area is the only viable area due to the position of the dolerite reserve. If applicable, project and/or technology alternatives will be considered in order to identify the best possible option that will accommodate the mining need, as well as have the least possible impact on the receiving environment.” • The site inspection indeed confirmed that this is the only area that is viable to be mined. The only other possible area that might have been considered for mining is the large mountain slope to the north of the currently proposed area (see Figure 19). However, it is much more preferable that this entire mountain slope be kept intact and undisturbed. Moreover, the impacts would likely be much higher there, since an additional plant community type (Stipagrostis namaquana - Vachellia karroo) will also be affected. Therefore, the current layout is the only viable option why The Terrestrial Biodiversity Impact Assessment only assessed one site alternative. • The area will be mined in such a way that it is pre-sloped accordingly. The mining depth will also be limited so as not to cause a major depression and at the same time assist with the free draining. • The mining depth will also be limited so as not to cause a major depression and at the same time assist with the free draining. • Comment noted this will be implemented and adhered to • Comment noted this will be implemented and adhered to • Comment noted please refer to Appendix M in the Terrestrial Biodiversity Impact Assessment section 7 where additional measures have been included. Soil should be stabilized in the period when it is disturbed until revegetation can take place. This can be done either temporarily or permanently and can include methods such as using layers of either sterile mulch (that will not drastically alter soil conditions), blankets, wood binders, geo-textiles, artificial turf blankets, mats, or fiber rolls, depending on availability and how appropriate the measures are for the project. <p>Runoff water on exposed areas should be controlled, for example with use of sediment traps, articulated concrete blocks, riprap, or geotextiles.</p> <p>Site entrances should be stabilized so that sediments are not carried away by the movement of construction vehicles to and from the site. Stabilized construction entrances can be made, for example, by making use of crushed stone. Care should be taken to remove all foreign debris from the site upon termination of the activities.</p>

STAKEHOLDERS			
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			<ul style="list-style-type: none"> • Comment noted and will be adhered to, please note the amount that will be necessary for the rehabilitation of damages caused by the operation, both sudden closures during the normal operation of the project and at final, planned closure gives a sum total of R 482 658,53. • Comment noted please refer to Table 2: Listed and specified activities triggered by the associated mining activities and Table 4: Policy and Legislative Context for the correct the description of Activity 21 of LN 1. • Comment noted please refer to Table 2: Listed and specified activities triggered by the associated mining activities and Table 4: Policy and Legislative Context for the amended listed activities as well as Appendix R for the amended EA application form. • Comment noted this activity has been removed please refer to Table 2: Listed and specified activities triggered by the associated mining activities and Table 4: Policy and Legislative Context for the amended listed activities as well as Appendix R for the amended EA application form. • Comment noted please refer to Comments and Response Report Appendix F for final comment from Heritage Western Cape (“HWC”) no further studies were requested therefor no need for a revised BAR. • The proposed dept of excavations is estimated between 10 - 20m. • The annual amount (Financial and Technical) of R612 500 was incorrectly calculated and is now amended in the Final BAR. The quarterly cost of R415 000 x 4, rehabilitation cost ÷ 2, sums up a total of R2 772 500. The annual financial and technical amount required to manage and rehabilitate the environment was estimated to be R2 772 500. • The financial provision amount that will be necessary for the rehabilitation of damages caused by the operation as per the Final BAR, both sudden closures during the normal operation of the project and at final, planned closure gives a sum of R 482 658,53. • Comment noted • Comment noted this will be implemented and adhered to where possible. • Comment noted this will be implemented and adhered to where possible. • Comment noted this will be implemented and adhered to

STAKEHOLDERS			
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<ul style="list-style-type: none"> • 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 where possible • Comment noted this will be implemented • Comment noted this will be implemented and adhered to • Comment noted this will be implemented and adhered to • Comment noted this will be the implemented and adhered to where possible, • Comment noted this will be implemented and adhered to • Comment noted 			
Mr Danie Swanepoel	Department of Environmental Affairs and Development Planning - George	24 March 2023	No Comments Received
Dr Robert Macdonald	Department of Social Development	24 March 2023	No Comments Received
Ms Carol Benadie	Department of Social Development - Beaufort West	24 March 2023	No Comments Received

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Me Grace Swanepoel	Department of Transport and Public Works	24 March 2023	26 April 2023
<p>Response received from Vanessa Stoffels,</p> <ol style="list-style-type: none"> 1. Your letter, with DMR Ref: WC30/5/1/3/2/1031 MP, dated 24 March 2023 to Interested and Affected Party refers. 2. From an environmental point of view this Branch offers no objection to this proposed mining activities, provided that: <ol style="list-style-type: none"> 2.1. Minor Road 8887 (OP08887), for which this Branch is the Road Authority, will serve as the only access to the dolerite mine off the proclaimed road network. 2.2. The developer accepts that this Branch has no responsibility to maintain a Minor Road, inclusive of OP08887. 2.3. The Land Use Planning application is submitted via the Municipality to this Branch, at which stage this Branch will: <ol style="list-style-type: none"> 2.3.1. Issue the required conditional access approvals off OP08887 at ±km1.40 RHS (Right Hand Side) and ±km4.05 RHS in terms of Roads Ordinance 19 of 1976. 2.3.2. Consider closing / relocating existing accesses off OP08887 to comply to this Branch' Access Management Guidelines, 2020. 2.3.3. Comment on possible upgrades and/or maintenance requirements that the developer will have to introduce at his own cost along the impacted on section of OP08887. 			
<p>Greenmined acknowledged receipt of letter with comments and conditions and confirmed that a Land Use Planning application was submitted with proof thereto attached.</p>			
Me Candice van Heerden	Department of Labour	24 March 2023	No Comments Received

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Me Juanita Fortuin	Department of Rural Development and Land Reform	24 March 2023	No Comments Received
Ms Nicole Abrahams	Sanral	24 March 2023	No Comments Received
Mr Jannie van Staden	Breede-Gouritz Cathement Management Agency	24 March 2023	No Comments Received
Zama Mbunquka responed on 26 April 2023, and confirmed the application does not fall within BGCMA and requested DWS to be consulted			
Greenmined acknowledged response and confirmed that DWS was included in the PPP.			
SAHRIS website	South African Heritage Resource Agency	24 March 2023	No Comments Received

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Adriaan Johan Nigrini – Landowner	Landowner of: Rhenosterkop 155 of the remaining extent portion 0 Rhenosterkop 155 Portion 9 Rhenosterkop 155 Portion 5 (RE) Rhenosterkop 155 Portion 6	24 March 2023	No Comments Received
Sabre Trust	Riet Fontein 122 Portion 1 Riet Fontein 122 Portion 11 Klipkopjes leegte 122 Portion 2 Elandsfontein 150 Portion 2	24 March 2023	29 March 2023

Barbara Mulcahy raised the following questions on behalf of Sabre Trust:

1. Clarity on the proposed duration and life of mine for the proposed operation – documentation refers 2 years with possible extension?
2. Access and traffic – the operating plan indicates using the main access road which is through the gate and dam that is our servitude access to our property which is not adjacent to any public roads. Please may I have clarity on:
 - a. Traffic volume – size and no of trucks – loaded and unloaded, plus other operational and maintenance traffic.
 - b. Who will maintain this road and gate? Does the apprx R400k guarantee for environmental closure include for remediation to road and gate infrastructure at the end of mine life?
3. Personnel – documentation says the operation will employ 6 people on site full time who will be transported to site everyday. I would like to understand where they will be transported from and also how many days per week the operation is intended to run? I presume management personnel would live in Beaufort West Town and commute as and when required? Please confirm.

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<p>Response from Greenmined Environmental:</p> <ol style="list-style-type: none"> 2. If the Mining Permit is approved, the approval permits a 2-year period, following an annual 3- year renewal application submission to Dmre. The life of mine is 5 years in total. 3. The access road for the proposed project is on the existing dirt road mainly used by farmers. The road will be extended/constructed from the turnoff toward the mining permit area as mining progresses. The correct image where the access road extends to the N1. This will be amended in the FBAR. Traffic volume, size and no of trucks :Sales trucks is estimated at a maximum of 15 trucks per day doing 3 round trips, 3 x Delivery trucks doing deliveries for the crushing contractor, General traffic by permit holder, crushing contractor management, customers etc - 5 vehicles per day. The Guarantee does not include the access road maintenance : However, please note it is the permit holder's responsibility to maintain the affected access road. Should the MP application be approved, compliance with the mitigation measures and conditions approved as part of the EMPR and the Environmental Authorisation (EA) will be compulsory to the Permit Holder as both the EMPR and EA are legally binding documents. In terms of Section 34 of the NEMA EIA Regulations, 2014 (as amended 2017) the holder of an EA must: "(a) ensure that the compliance with the conditions of the environmental authorisation and the EMPR, and where applicable the closure plan, I audited; and (b) submit an environmental audit report to the relevant competent authority". The regulations further stipulate that the environmental audit report (EAR) must be prepared by an independent person with the relevant environmental auditing expertise; provide verifiable findings on the level of performance against and compliance with the provisions of the requisite EA, EMP and Closure Plan, and the ability of the measures contained in the EMPR and Closure Plan to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking 4. Personnel – Yes 6 people will be employed on site full time, All Staff to reside in Beaufort West & be transported daily. 6day week. 4 weeks per month. During the crushing stage of about two months there will be more people on site. When the crushing is done there will only be two people on site. The one person will man the container where the weighbridge is, and the other person is the loader operator that will load the trucks when they come in. Both these people arrive and leave the site with the first and last truck to come and load. <p>Response from Greenmined Environmental on 18 April 2023:</p> <p>Please see the below google image of the project area ±30 km North of Beaufort West. Using the N1, head north for approximately 30km. The entrance to the proposed mining area is found on the right side of the road where you will see the sign board with flags for Karoo La Viletta accommodation.</p>			
<p>Comments receive from SW van Der Merwe on behalf of Sabre Trust:</p> <p>Comment received from SW van Der Merwe,</p>			

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>on behalf of the following respondents:</p> <ul style="list-style-type: none"> a) Lombaardskraal Doleriet Pty Ltd (further referred to as Lombaardskraal Doleriet). b) Gideon Vivier Boerdery Trust vested with the farm The Vale (further referred to as The Vale). c) Bleakhouse Boerdery, Beaufort West. <p>This report records and motivates the comments of the respondents listed below pertaining to the proposed opening of a new mine on Rhenosterkop 155 as suggested in the Draft Basic Assessment Report (DBAR) and Draft Environmental Management Programme (DEMP) drafted and distributed by Greenmined Environmental (Pty) Ltd.</p> <p>The locus standi of the respective respondents vests with the following:</p> <ul style="list-style-type: none"> (i) Lombaardskraal Doleriet has developed and operates the mine at The Vale, and has made significant investments in the mining, crushing and provision of high-quality doleriet road material and concomitant by-products to the roads and construction industry, with specific reference to the projects envisaged undertaken under the National Renewable Energy Program. An environmental authorisation and mining permit have been issued to Lombaardskraal Doleriet on 25 June 2021 for the operation of a mine on The Vale. The said mine has been in operation since November 2021 and has been serving various large-scale projects. (ii) The Gideon Vivier Boerdery Trust owns and operates The Vale farm with its concomitant tourist amenities and services rendered; and has a significant financial and environmental interest in the Lombaardskraal Doleriet mine and its impacts. The Vale abuts Rhenosterkop 155 and would be directly affected by the proposed mining and associated activities. (iii) Bleakhouse Boerdery owns and operates farm Bleakhouse and its concomitant small-stock activities. Bleakhouse abuts Rhenosterkop 155 and would be directly affected by the proposed mining and associated activities. <p>The comments presented in this report inter alia draw upon the experience gained from the operationalisation and running of Lombaardskraal Doleriet mine at The Vale.</p>			

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The comments presented in this report inter alia draw upon the experience gained from the operationalisation and running of Lombaardskraal Doleriet mine at The Vale.

2 STATUTORY AND LAND USE POLICY CONTEXT FOR THE COMMENT

The Mineral and Petroleum Resources Development Act 28 of 2002 (as amended) states that a mining permit will not be issued if the concomitant activity would 'result in unacceptable pollution, ecological degradation or damage to the environment'. The Act furthermore states that 'unless an Environmental Authorisation can be granted following the evaluation of an Environmental Impact Assessment and an Environmental Management Programme report in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA), it cannot be concluded that the said activities will not result in unacceptable pollution, ecological degradation or damage to the environment'. In order to qualify for a mining right within a certain area an applicant has to comply with a set of conditions and requirements imposed by the Department of Mineral Resources and Energy. These individually and collectively require that no unacceptable pollution or damage to the environment will occur as a result of the mining operation.

The relevant land use policy, i.e., the Central Karoo Spatial Development Framework, and the applicable environmental directive, i.e., the Environmental Management Framework for the Central Karoo District Municipality, do not provide for random development of disruptive and consumptive activities (e.g., mining) that are not aligned with the core land use of extensive agriculture. Land use policy provide a legitimate expectation and assurance to landowners and entrepreneurs (e.g., in the tourism business) that the core comparative advantages of the environment will be protected. Accordingly, in terms of said policies, disruptive and consumptive activities may only be considered if a compelling reason and motivation existed.

Accordingly, the respondents contend as follows:

- a) The above stipulations cannot be adhered to. The proposed activity would have a high level of detrimental in situ impact.
- b) The proposed activity would have a high level of detrimental cumulative impact on the environment when considered in context of the existing Lombaardskraal Doleriet mine at The Vale.
- c) The proposed mining activity and concomitant transportation as described in the DBAR would lead to direct and permanent loss of existing agricultural resources at The Vale.
- d) The use of Transnet roads to provide access/egress to the subject site is legally questionable.

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<p>e) Due to the confirmed capacity, locational attributes, and existing infrastructural capital vested with the Lombaardskraal Doleriet mine at The Vale, the need and desirability for an additional, similar enterprise in close proximity to the latter (only 8 km), and serving the same limited market, is highly questionable.</p> <p>The above abridged contentions are substantiated by means of the following:</p> <p>3 RESPONDENTS' CONTENTIONS</p> <p>3.1 ENVIRONMENTAL IMPACT</p> <p>Based upon the experience gained at the Lombaardskraal Doleriet mine at The Vale, the respondents contend that that the proposed new mine implies environmental impacts that cannot be mitigated, namely:</p> <p>a) Dust from the mining and crushing activities would have an adverse impact on the aesthetic quality and integrity of the environment as a primary agricultural and tourism resource. No assurance can be provided that the limited surface water at Rhenosterkop would be adequate to mitigate dust pollution, especially during periods of water scarcity. Given the dependence of the town of Beaufort West on water from the aquifer underlying Rhenosterkop and the neighbouring Brandwacht, any large-scale extraction use of underground water resources for non-agricultural activities is undesirable and should be prohibited.</p> <p>b) The proposed mining would cause significant noise pollution. Drilling, blasting, excavation, and handling of material produce a considerable volume of noise. The machines used are mostly pneumatic and percussion types, often operating at dangerous noise levels ranging between 114-120 dB. The impacts cannot be mitigated and hold a severe threat to the general integrity of the environment for both permanent inhabitants and visitors to the area, with specific reference to The Vale and Brandwacht.</p> <p>c) The ores produced by mining may generate wastes which, after mixing with the atmospheric air, cause air pollution. According to research, suspended particulate matters and respirable particulate matters are pollutant products through open-pit mining such as is contemplated at Rhenosterkop.</p> <p>d) Experience from the Lombaardskraal Doleriet mine at the Vale indicates that, for the mining operation to be financially viable, crushing has to be undertaken continuously, i.e., without interruption. This implies that such activity has to be continued throughout the night. The impacts cannot be mitigated</p>			

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<p>and hold a severe threat to the general integrity of the environment for both permanent inhabitants and visitors to the area, with specific reference to The Vale and Brandwacht.</p>			
<p>3.2 DIRECT AND INDIRECT LOSS OF ECONOMIC PRODUCTION CAPABILITY</p>			
<p>Dust pollution in the natural habitats in the vicinity of the proposed mine and along the access/egress roads holds a severe threat as it relates to:</p>			
<p>a) Threatening vegetation communities by inducing changes to respiration, transpiration, and photosynthesis . Such habitats may be ‘sterilised’ and rendered useless for stock farming.</p>			
<p>b) Given that the relevant site is located in a wind-belt suitable for sustainable energy generation, it may be expected that permanent dust pollution would occur in substantial areas on Rhenosterkop and adjoining farms such as The Vale and Brandwacht.</p>			
<p>c) If the Renosterkop siding road were to be used for mining-related transport, dust pollution may effectively destroy the intensive stock farming operation at the The Vale farmstead.</p>			
<p>3.3 CUMULATIVE IMPACT</p>			
<p>The following aspects and contentions apply:</p>			
<p>a) The Lombaardskraal Doleriet mine has had, and still has environmental impacts. These have been mitigated to the extent that the mining activities and other economic land uses on The Vale (e.g., the various forms of tourism, and conventional agriculture and associated value chains) can co-exist. However, together with the mitigated impacts of the Lombaardskraal Doleriet mine, the potential impacts of the proposed Rhenosterkop mine (refer to Sections 3 and 4 above) may have a cumulative impact that would push nature-based land uses in the area towards a tipping point where such land uses lose their viability and sustainability. This requires that the precautionary principle should be applied and adhered to in any new land use activities.</p>			
<p>b) The Lombaardskraal Doliriet mine and Sanral’s mine abut each other, representing a consolidated mining cluster that has the capability to provide for all regional needs. The detrimental impact inherent to these linked activities have been mitigated by means of mutual infrastructural measures (e.g., a highest standard exit from the N1, tarred roads to mitigate dust pollution, hard surface areas for stock piling, adequate security fences, adequate water resources. Any additional mine in close proximity to the Lombaardskraal Doleriet mine would have a severe multiplying effect on the cumulative impacts to the broader environment. This renders the proposed new mine highly undesirable.</p>			

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<p>3.4 ACCESS AND TRAFFIC LIMITATIONS</p> <p>The DBAR suggests that the Renosterkop siding road be used as main access/egress road to the site. This proposal implies threats and impacts that cannot be mitigated. Accordingly, the following aspects apply:</p> <p>a) The said road exits the N1 directly opposite the turn-off to The Vale tourist resort. This junction and its on-going use are of vital importance to the safety and economic viability of the resort.</p> <p>b) The indicated density and frequency of haul truck movement to and from the proposed mine imply an immeasurable threat to users of the said secondary roads, and of the N1, in particular.</p> <p>c) The exit to the Lombaardskraal Doleriet mine has been constructed by SANRAL and complies with the highest road safety directives. Such type of junction should be a minimum requirement if any mining-related transport were to be considered on the Renosterkop siding road as proposed in the DBAR.</p> <p>d) Significant portions of the access/egress road to the proposed site belong to Transnet. It is highly questionable whether such roads may not be used for heavy commercial transportation. Consequently, there may be no legal access routes to the proposed mine site.</p> <p>3.5 NEED AND DESIRABILITY FOR THE PROPOSED MINE</p> <p>The need and desirability of the proposed activity should be considered in context of inter alia the following:</p> <ul style="list-style-type: none"> • Cumulative impact on the environment. • Assurances and obligations vested with the authorisation of the Lombaardskraal Doleriet mine, and the possibility that authorisation the proposed Rhenosterkop mine would create a precedent that opens the door to further applications of this nature. <p>The following contentions apply in this regard:</p> <p>a) The Lombaardskraal Doleriet mine has the capacity and capability to provide all types, quantities, and qualities of construction-related products and by-products that may be required for any foreseeable needs in the Beaufort West district and vicinity (including the highest quality doleriet road</p>			

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<p>material). Accordingly, there is currently no need for any additional facility in the area. Given the undeniable potential cumulative impact that would result from the proposed mine, it should be considered highly undesirable.</p> <p>b) The Lombaardskraal Doleriet mining processes commenced in November 2021, following on an extensive core drilling program to determine the quantum and quality of available dolerite resources within a 60 km radius from the town of Beaufort West. The Lombaardskraal Doleriet mine was subsequently established on The Vale which is renowned for its high-quality dolerite. The establishment of the mine was preceded by the standard environmental authorization processes and mining application .</p> <p>c) Due to the multifunctional uses and associated comparative economic advantages of the subject farm (vested with stud and conventional stock farming, game farming, general tourism, etc), the Lombaardskraal Doleriet initiative required substantial private sector investment and long-term financial commitments.</p> <p>d) The approval of the Lombaardskraal Doleriet mine does not imply that the latter has any legitimate claim to any form of protection or preferential treatment. However, the approval arguably implies that the respondents have a legitimate expectation that their financial interests should be a key element in considering the need and desirability of a similar operation within 8 km from the Lombaardskraal Doleriet mine.</p> <p>e) It may be argued that the approvals granted for Lombaardskraal Doleriet carry the inherent assurance that the upholding of the sustainability (including financial sustainability) of the approved activity is imperative. This is a key inherent tenet of the relevant statutes and, among others, the National Development Plan. Approval of the proposed Rhenosterkop mine implies a hugely detrimental impact on the continued sustainability and viability of the Lombaardskraal Doleriet mine. This may, among others, manifest negatively on any financial plans for future rehabilitation on the mine site.</p> <p>4 CLOSURE</p> <p>The DBAR and the DEMPr do not present any compelling evidence as to how the proposed Rhenosterkop mine complies with principles of need and desirability. Given the aspects recorded in this document, it is the considered and substantiated view of the respondents that the potential detrimental impacts of the proposed mine significantly outweigh any potential positive impacts, and that there is no merit in continuing with the application and concomitant processes.</p>			

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<p>Greenmined response:</p> <p>We refer to the above matter and your letter dated 26 April 2023. We take note of the contents of your abovementioned letter, which content is quoted in italics below, with our response to your objections on a point-by-point basis.</p> <ul style="list-style-type: none"> • Application is made for a mining permit. • a) Comment noted. Please refer to Table 21: Summary of specialist reports in the FBAR for all the specialist findings that was done for this application. During the environmental impact assessment process, the feasibility of the proposed site was assessed to identify fatal flaws that are deemed as severe as to prevent the activity continuing or warrant a site or project alternative. The outcome of the assessment showed that should the mitigation measures and monitoring programmes proposed in this document be implemented, no fatal flaws could be identified that prevents the activity continuing. The comments received will be incorporated into the Final Basic Assessment Report (FBAR) to be submitted for decision making to DMRE as the competent authority. • b) During the environmental impact assessment process, the cumulative impacts of the proposed site was assessed and the outcome of the assessment showed that should the mitigation measures and monitoring programmes proposed in this document be implemented, the impact of the will be low - medium. • c)According to the Agricultural Impact Assessment (AIA) (Appendix M) done by Johann Lanz Soil Scientist (Pr.Sci.Nat.) the conclusion of this assessment is that the proposed mining will not have an unacceptable negative impact on the agricultural production capability of the site. This is because the site naturally has extremely low agricultural production potential and very little potential is therefore lost due to mining. Therefore, from an agricultural impact point of view, it is recommended that the development be approved. The conclusion of the assessment on the acceptability of the proposed development and the recommendation for its approval is not subject to any conditions. • d)Transnet the competent authority in this regard was contacted during the public participation proses and a wayleave application for a level-crossing over Transnet land is underway and will be obtained prior to commencement. 			

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<p>3.1 ENVIRONMENTAL IMPACT</p>	<ul style="list-style-type: none"> e) Preventing another company to operate to maintain the existing monopoly in terms of mining & / or quarrying activities in the area, with specific reference to the aggregate & building material production and supply market, may be in direct contradiction to the objectives of the Mineral and Petroleum Resources Development Act, 2002 (as amended), as well as the provisions of the Competition Act, 1998 (as amended) and can therefore not be regarded as a valid objection. 		<ul style="list-style-type: none"> a) It should be noted that legislation is in place in order to manage dust on site and the permit holder will be held liable to insure that all dust generation is within the legal limits. As per the dust mitigation measures described in the FBAR the liberation of dust into the surrounding environment must be effectively controlled by the use of, inter alia, straw, water spraying and/or environmentally friendly dust-allaying agents that contains no PCB's (e.g. DAS products). It is clearly stipulated that alternative measures other than water may be used in order to mitigate dust. Ultimately all dust generating activities shall comply with the National Dust Control Regulations, GN No R827 promulgated in terms of NEM:AQA (Act 39 of 2004) and ASTM D1739 (SANS 1137:2012). Best practice measures shall be implemented during the stripping of topsoil, excavation, and transporting of material from site to minimize potential dust impacts. Should the mitigation measures and monitoring programmes proposed in FBAR be implemented within the legal limits. b) It should be noted that legislation is in place in order to manage noise on site and the permit holder will be held liable to insure that all noise generation is within the legal limits. All mining vehicles must be equipped with silencers and maintained in a road worthy condition in terms of the National Road Traffic Act, 1996 (Act No 93 of 1996). The type, duration and timing of the blasting procedures must be planned with due cognizance of other land users and structures in the vicinity. Surrounding landowners and nearby airports must be notified in writing prior to each blasting occasion. A qualified occupational hygienist must be contracted to quarterly monitor and report on the personal noise exposure of the employees working at the mine. The monitoring must be done in accordance with the SANS 10083:2004 (Edition 5) sampling method as well as NEM:AQA, 2004, SANS 10103:2008. Site management must strive to minimise the noise caused by generators. All generators must be maintained and equipped with sound mufflers. If at all possible, the generators must be placed as far away from the nearby land users as practicable, on the western portion of the mining area (S1). Also, to reduce vibration noise, all generators must be set up on a level surface or footing. Best practice measures shall be implemented to minimize potential noise impacts. Should the mitigation measures and monitoring programmes proposed in FBAR be implemented within the legal limits. c) Comment noted. It is, however, recommended that best practice mitigation measures be implemented to ensure that particulate emissions, and their consequent impact on the receiving environment, is minimised and that off-site pollutant concentrations and dust fallout is compliant with the

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	<p>South African National Ambient Air Quality Standards (Gazette 32816, 24 December 2009) and the National Dust Control Regulations (Gazette 36974, 1 November 2013).</p> <p>A complaints register will be kept on-site and all interested and affected parties, including nearby residents but also personnel, may report any air quality related issued, no matter how trivial.</p> <ul style="list-style-type: none"> d)Comment noted. It should be noted that legislation is in place in order to manage the mining operation. Should the mitigation measures and monitoring programmes proposed in this document be implemented and enforced, the impact of the will be low - medium. The permit holder will be held liable by the competent authority to insure that they comply with the conditions of the authorisation should it be granted. 		<p>3.2 DIRECT AND INDIRECT LOSS OF ECONOMIC PRODUCTION CAPABILITY</p> <ul style="list-style-type: none"> a-c) It should be noted that the applicant is well aware of the requirements. As mentioned above dust mitigation measures will be enforced on site. It is clear the dust may be a significant factor that have to be monitored regularly in order to stay within the legal limits. <p>3.3 CUMULATIVE IMPACT</p> <ul style="list-style-type: none"> a) Comment noted. b) Comment already addressed see point 3 (d). <p>3.4 ACCESS AND TRAFFIC LIMITATIONS</p> <ul style="list-style-type: none"> As previously mentioned, Transnet the competent authority in this regard was contacted during the public participation proses and a wayleave application for a level-crossing over Transnet land is underway and will be obtained prior to commencement. Access to the proposed mining area will be via the N1, making use of the existing internal/haul roads to access the mining area, The regulating authority in this case SANRAL was

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<p>consulted in this regard and do not have an objection with the proposed operation. Should any further approval be required from them it will be done prior to commencement.</p>			
<p>3.5</p>	<p>NEED AND DESIRABILITY FOR THE PROPOSED MINE</p>		<ul style="list-style-type: none"> • Comment already addressed, during the environmental impact assessment process, the cumulative impacts of the proposed site was assessed and the outcome of the assessment showed that should the mitigation measures and monitoring programmes proposed in this document be implemented, the impact of the will be low - medium. • As previously addressed above, Preventing another company to operate to maintain the existing monopoly in terms of mining & / or quarrying activities in the area, with specific reference to the aggregate & building material production and supply market, may be in direct contradiction to the objectives of the Mineral and Petroleum Resources Development Act, 2002 (as amended), as well as the provisions of the Competition Act, 1998 (as amended) and can therefore not be regarded as a valid objection. • a)As previously addressed above, Preventing another company to operate to maintain the existing monopoly in terms of mining & / or quarrying activities in the area, with specific reference to the aggregate & building material production and supply market, may be in direct contradiction to the objectives of the Mineral and Petroleum Resources Development Act, 2002 (as amended), as well as the provisions of the Competition Act, 1998 (as amended) and can therefore not be regarded as a valid objection. • Comment noted • Comment noted • Comment noted • Comment noted
<p>4</p>	<p>CLOSURE</p>		<ul style="list-style-type: none"> • Once again it is evident from the objections that Lombaardskraal Doleriet mine is against this application solely due to the monopoly that it wishes to maintain within the area, but unfortunately cannot prevent other applications. We take note of your further comments, all comments received as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for their consideration.

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Jean de Jager	Riet Fontein 122 Portion 10	24 March 2023	No Comments Received
Johan Lund	Elandsfontein 150 Portion 7 Farm 410 Portion 0	24 March 2023	12 April 2023
Mr. Lund telephonically requested clarity on access road, maintenance and dust that will be generated on the road.			
Greenmined provided Mr. Lund with the google location and telephonically explained the exact location, how dust will be managed, and that the road used by the Permit holder will be maintained by them.			
Please refer to comments received from SW Van der Merwe – Sabre trust on 26 April 2023			
Transnet LTD	Rhenosterkop 155 Portion 7 Rhenosterkop 155 Portion 1 (RE) Rhenosterkop 155 Portion 20 (RE)	24 March 2023	12 April 2023
Me Anel Abrahams requested that a wayleave application for a level-crossing over Transnet land be submitted.			

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Greenmined acknowledged the email and requested that the process and contacts be provided.			
On 26 April 2023, Anel Abrahams confirmed that the application falls under the Kimberley South office, and that the information was sent to Mr. Tshekelo Finger.			
Greenmined attempted to reach Mr. Finger telephonically but was unsuccessful. After which an email was sent to confirm that the information was sent by Anel Abrahams.			
Andre Gerard Lautre Murray	Speelmans Kuil 154 Remaining Extent Portion 0	24 March 2023	No Comments received
Gideon Vivier Boerdery	Rhenosterkop 155 Portion 4 (RE) Rhenosterkop 155 Portion 9 (RE)	24 March 2023	No Comments Received
Please refer to comments received from SW Van der Merwe – Sabre trust on 26 April 2023			

SUMMARY OF PUBLIC PARTICIPATION PROCESS

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

- ❖ Email notifications letters send via email
- ❖ Advertisement in The Courier Newspaper on 24 March 2023
- ❖ On-site notices that were placed at the entrance to the site and the Beaufort West Public Library;

The comments received on the DBAR was incorporated into the FBAR and submitted for decision making.

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