

# APPENDIX J

---

## Proof of Public Participation

**ENVIRONMENTAL IMPACT ASSESSMENT  
PRE-APPLICATION PUBLIC PARTICIPATION PROCESS**

## PROPOSED SAND BORROW PIT, ALHEIDT, KAKAMAS

(on Plot 2372, Kakamas South, Kai! Garib Local Municipality, Kenhardt District Municipality)

Notice is hereby given of the pre-application public participation process in terms of the National Environmental Management Act, No. 107 of 1998 (NEMA) and the Environmental Impact Assessment (EIA) Regulations (2014), as well as the National Water Act, No. 36 of 1998 (NWA).

EnviroAfrica CC has been appointed by Marie and Charel Bruwer, representing the proponent/applicant, Antoinette Bruwer, to undertake the EIA application process under NEMA for the above proposed project. The water use licence application process under the NWA, will be undertaken by a separate independent consultancy, WatsanAfrica, working in conjunction with EnviroAfrica. Applications for the above proposed development will be submitted to the competent authorities (the Northern Cape Department of Mineral Resources and the Northern Cape Department of Water and Sanitation) and will address the following activities:

Relevant Act/Notice:	Activity No (s)	Description
NEMA, EIA Regulations Listing Notice 1 of 2014, as amended (GN. R. 327)	21	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, No. 28 of 2002 (MPRDA), including (a) associated infrastructure, structures and earthworks, directly related to extraction of a mineral resource; or (b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing; but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies.
NEMA, EIA Regulations Listing Notice 1 of 2014 (GN. R. 327)	12(xii)(c)	The development of infrastructure or structures with a physical footprint of 100m <sup>2</sup> or more where such development occurs if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.
NWA, Section 21	a	Taking water from a water resource
NWA, Section 21	c	Impeding or diverting the flow of water in a watercourse
NWA, Section 21	i	Altering the bed, banks or characteristics of a watercourse

### **Project Location and Description:**

The proposed development site is located at **28°48'33.16"S, 20°33'7.00"E**, on Plot 2372, Alheidt, south-west of Kakamas, Northern Cape.

The proposed development is the establishment of a sand borrow pit which will cover an area of not more than 5ha.

### **Description of Alternatives:**

Alternative site locations do not exist. However, alternative localities for the workings of the quarry include *inter alia* layout options and the option of not proceeding with the proposed development at all (the No-Go option) do exist. All alternatives will be considered within the Draft Basic Assessment Report (DBAR) to be issued for public comment once this pre-application public participation registration stage is complete.

### **Public Participation:**

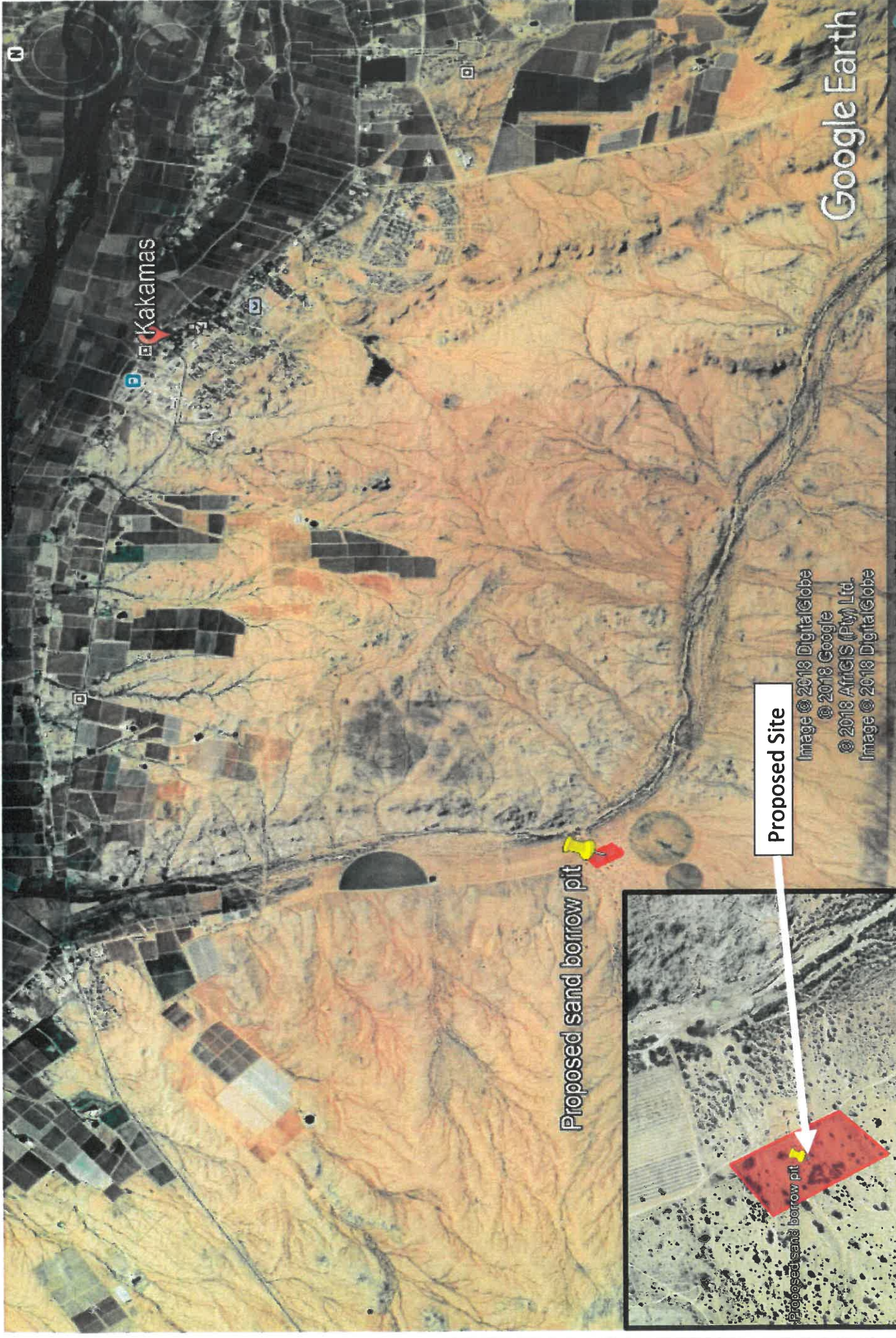
Interested and Affected Parties (I&APs) are hereby invited to register (in writing) and/or provide initial comments, queries, concerns or opportunities relating to this proposed project, **on or before 25<sup>th</sup> October 2018**.

In order to register or submit a comment, I&APs should refer to the project name, and provide their name, address & contact details (*indicating your preferred method of notification*) and an indication of any direct business, financial, personal, or other interest which they have in the application. Please note that future correspondence will only be sent to registered I&APs.

### **To register as an I&AP or for more information contact EnviroAfrica at:**

EnviroAfrica (Sand Borrow Pit, Alheidt, Kakamas), P.O. Box 5367, HELDERBERG, 7135  
Tel.: 021 8511616 E-mail: [admin@enviroafrica.co.za](mailto:admin@enviroafrica.co.za)

Fax: 086 512 0154



Kakamas

Proposed sand borrow pit

Proposed Site

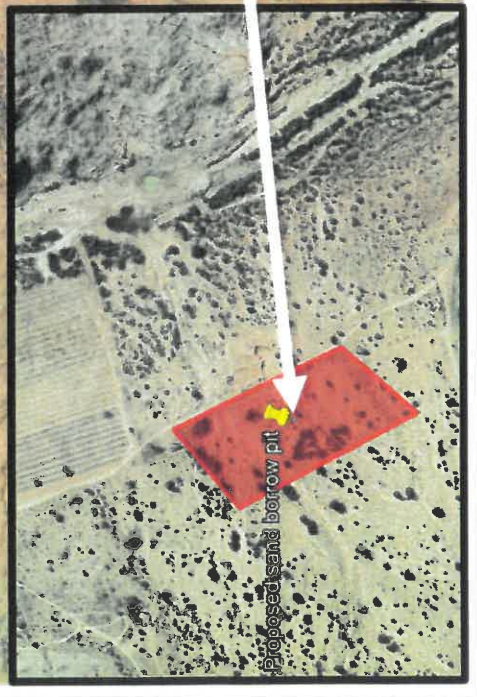
Image © 2018 DigitalGlobe  
© 2018 Google  
© 2018 AfrGIS (Pty) Ltd.  
Image © 2018 DigitalGlobe

Imagery Date: 7/8/2017

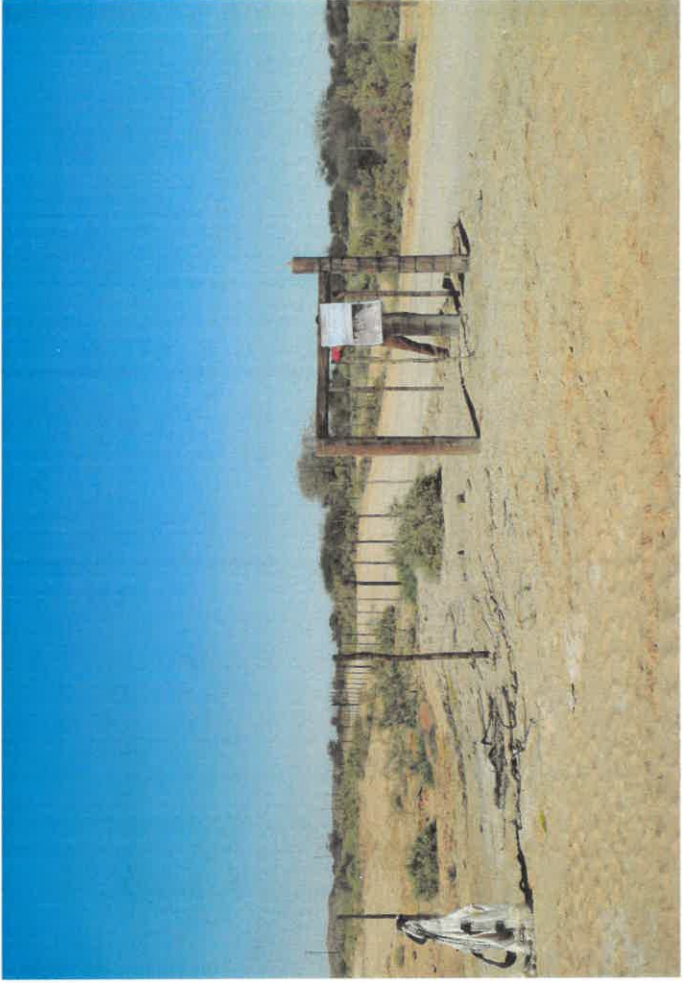
28°47'44.01" S 20°34'32.49" E elev. 0 m

eye alt 14.25 km

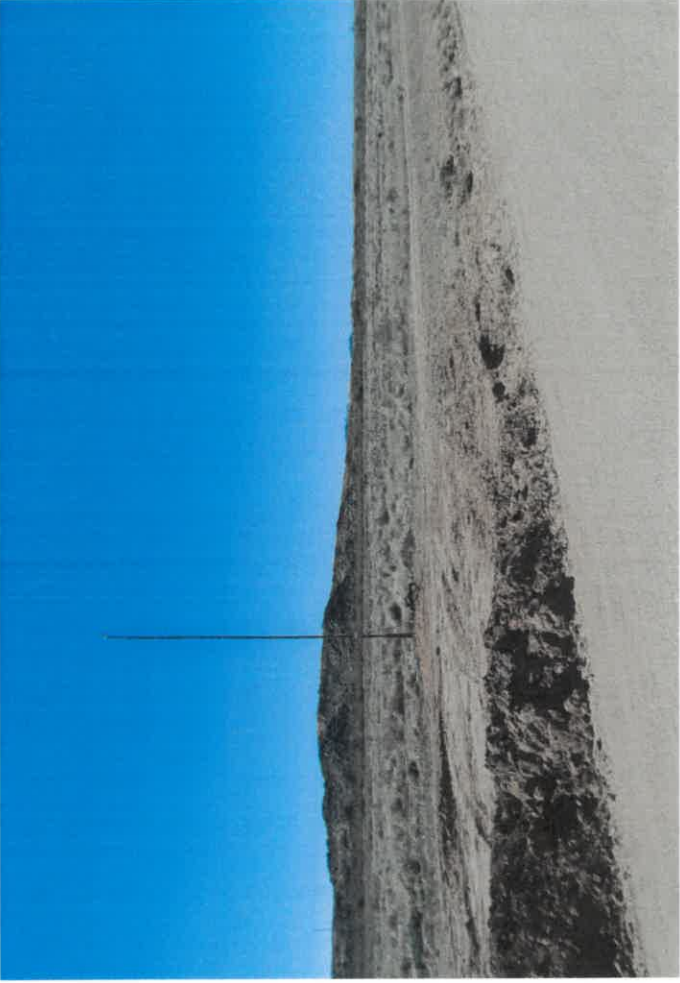
Google Earth

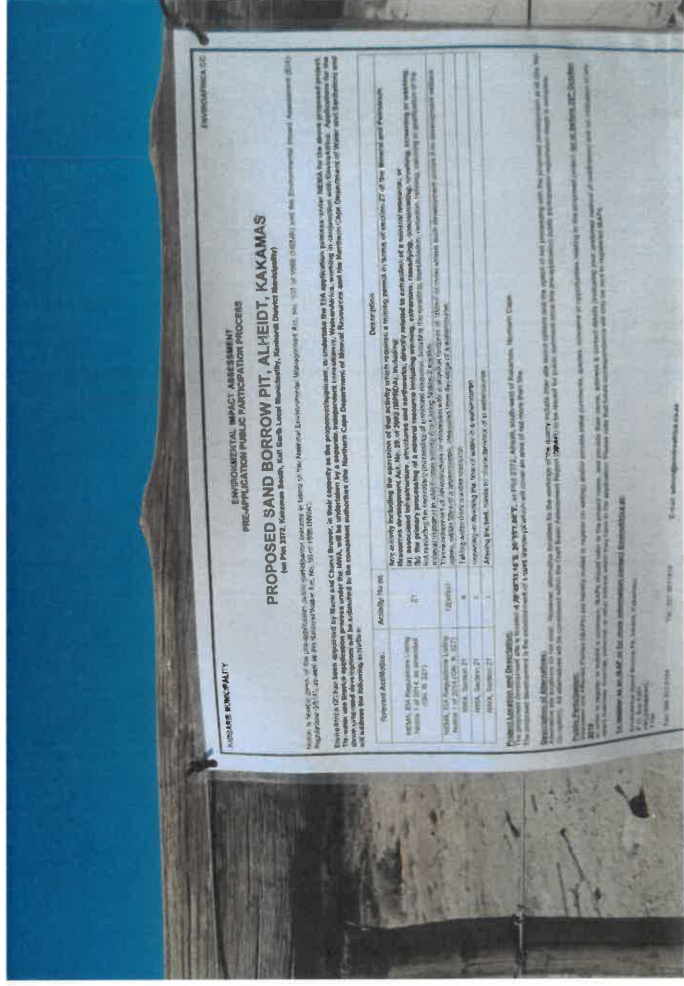


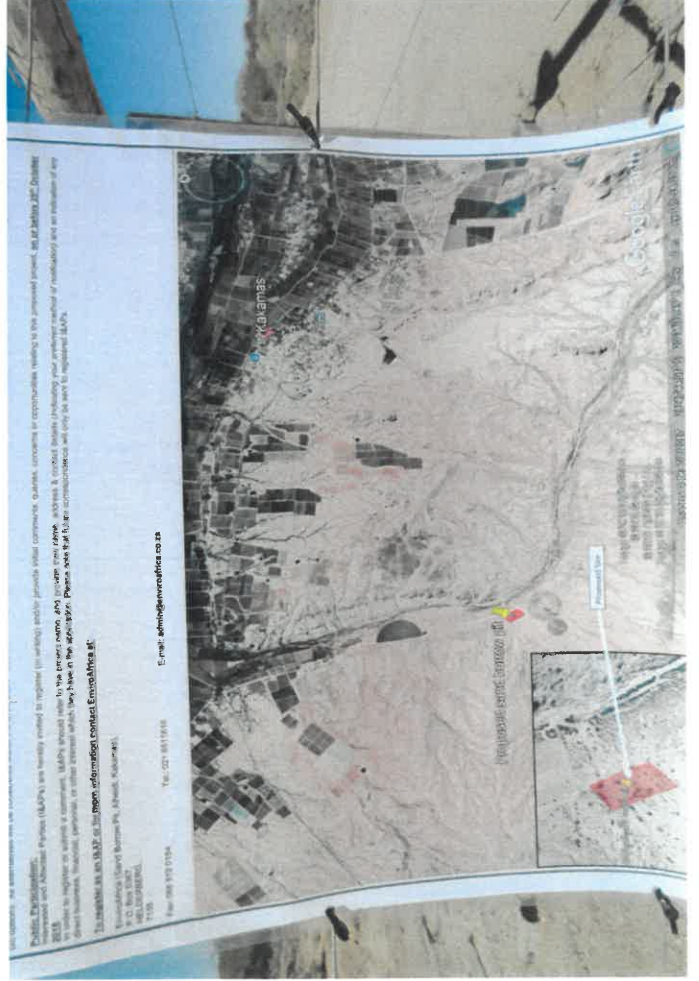
Proposed sand borrow pit



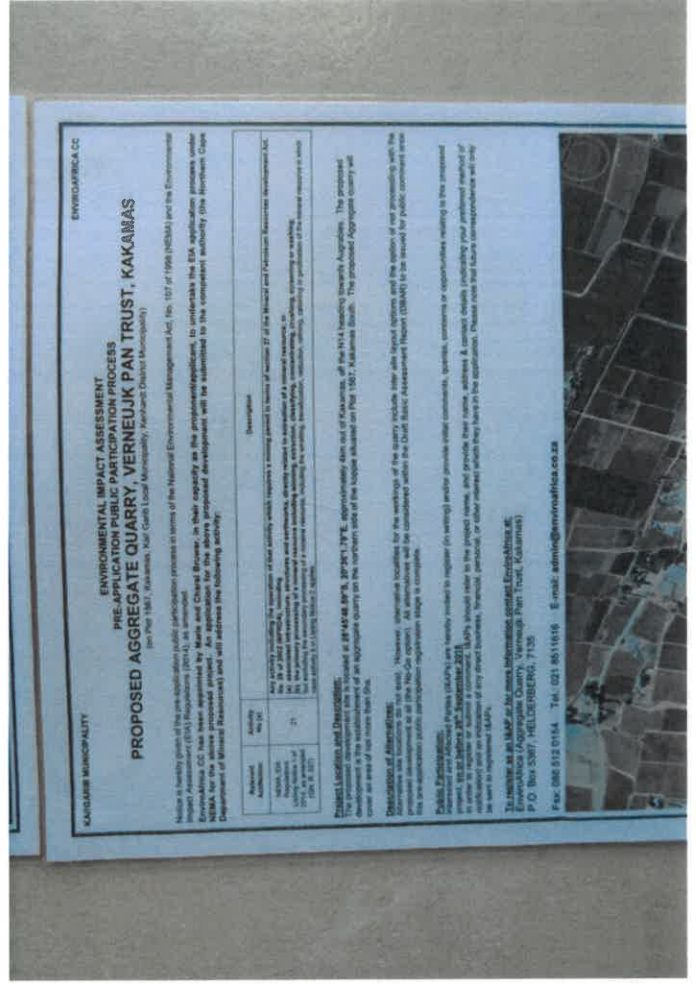
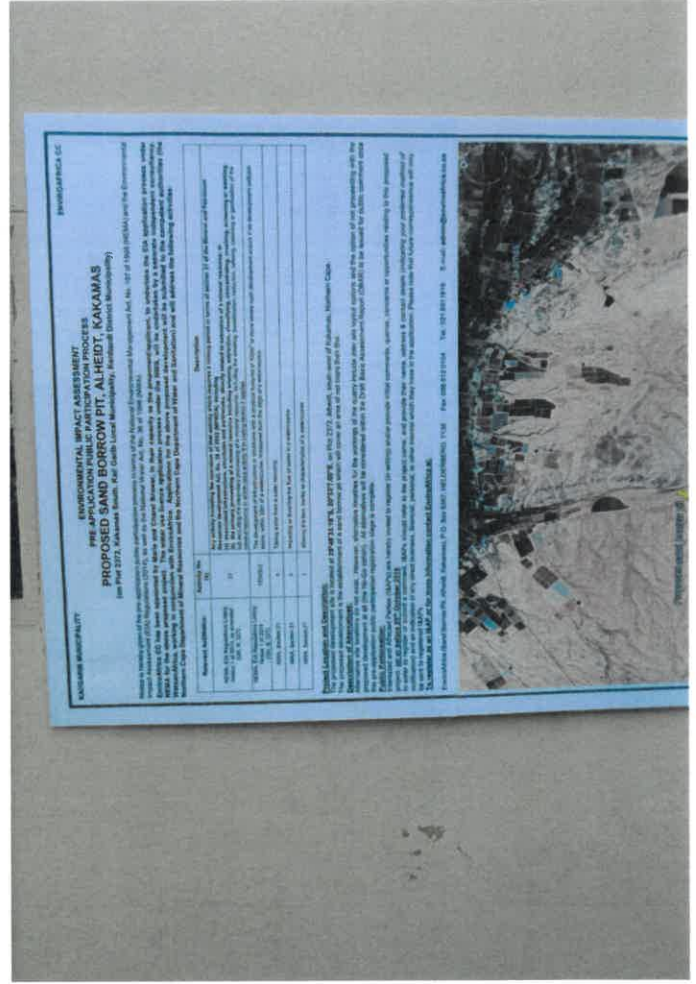






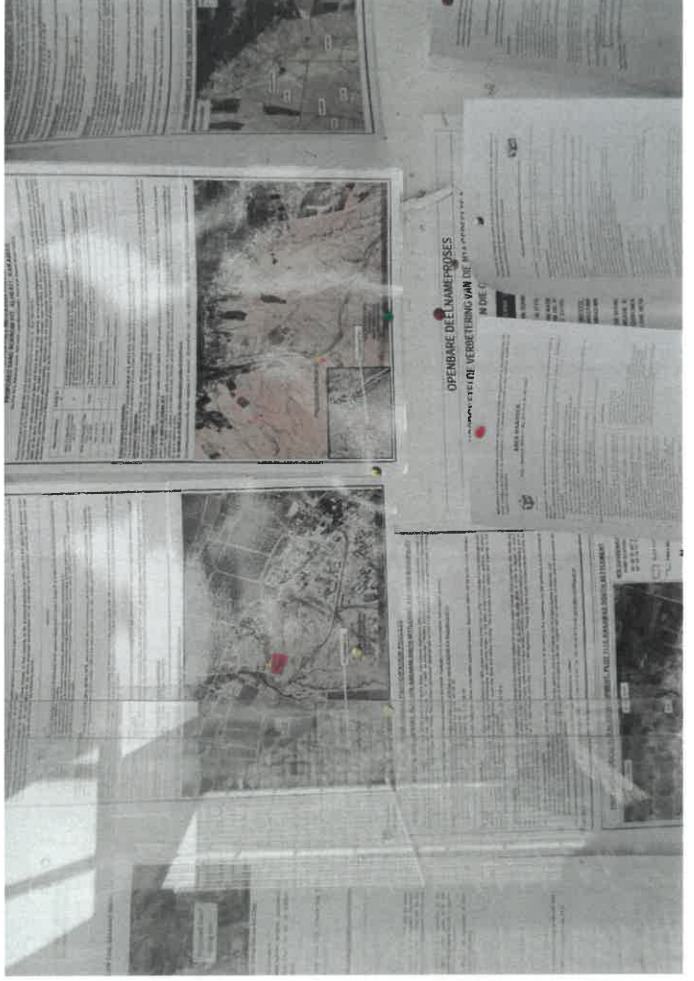
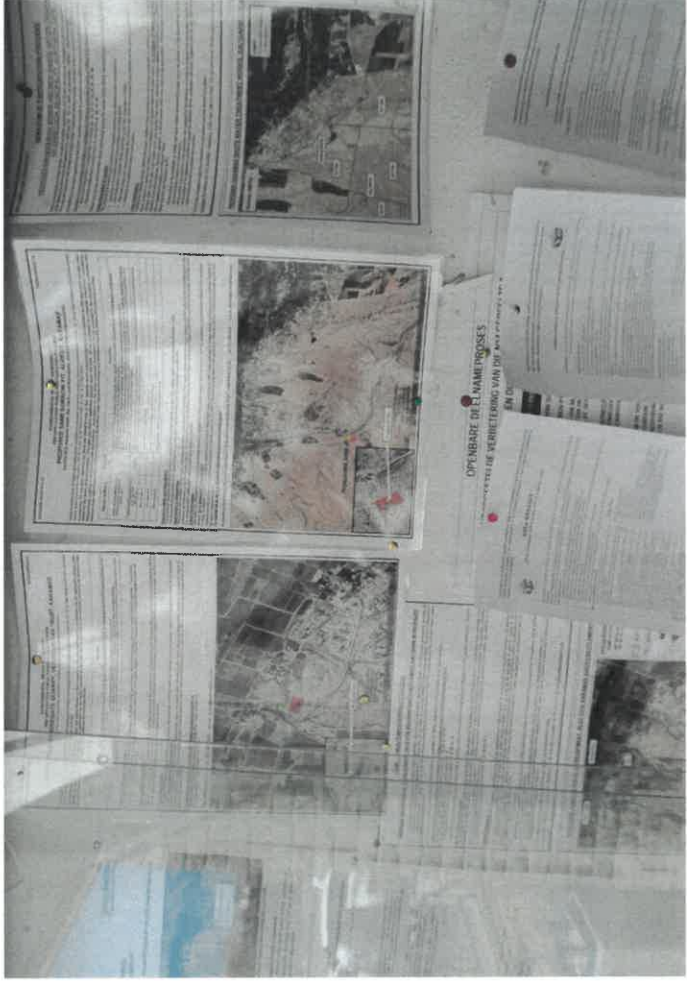


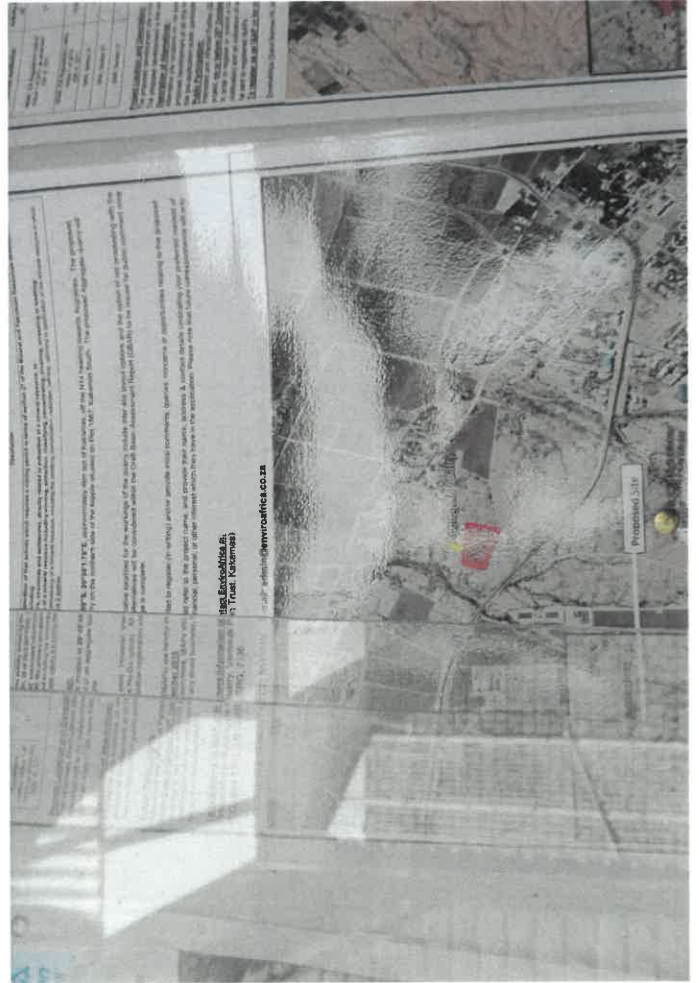
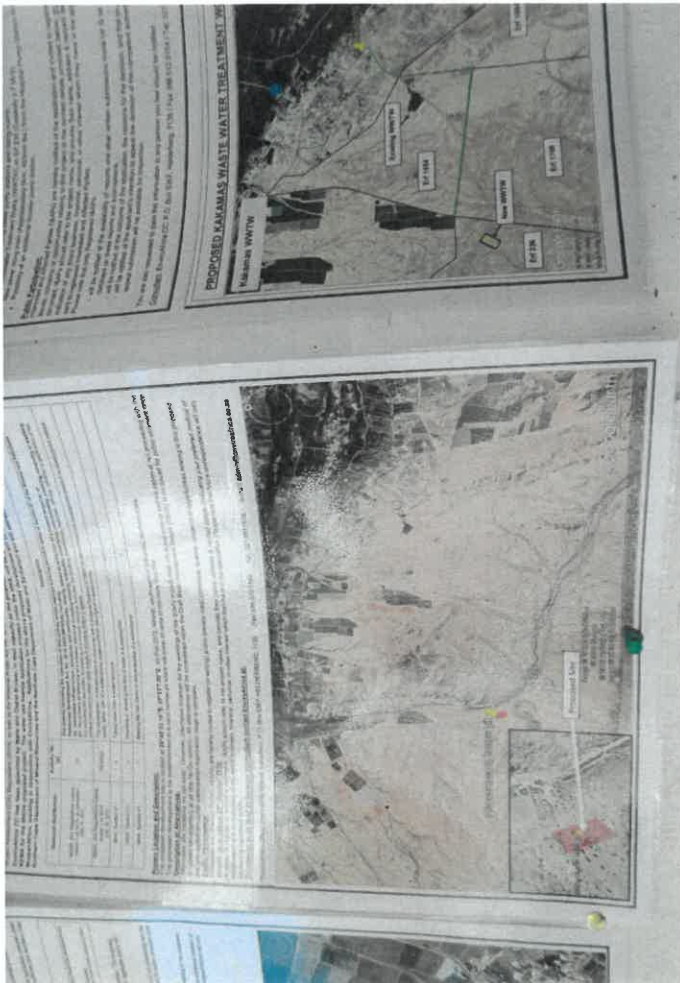


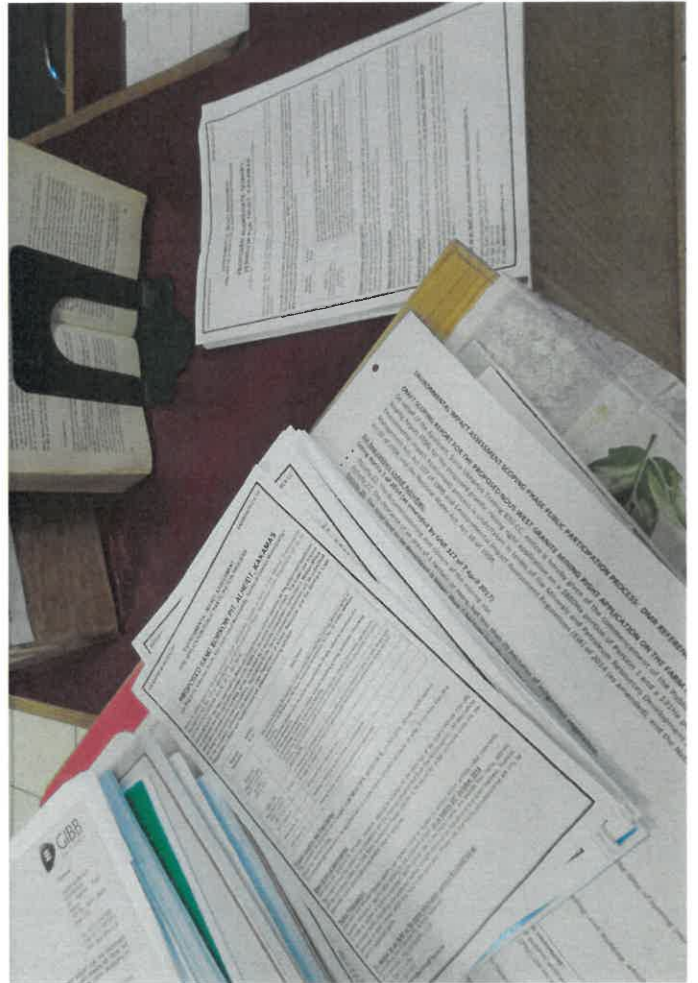
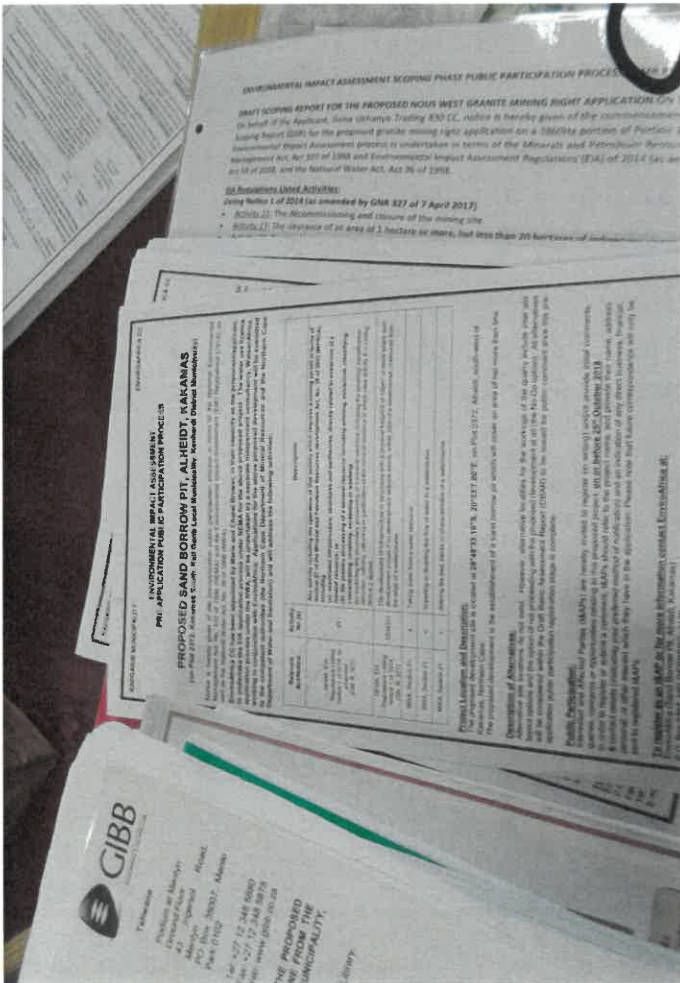
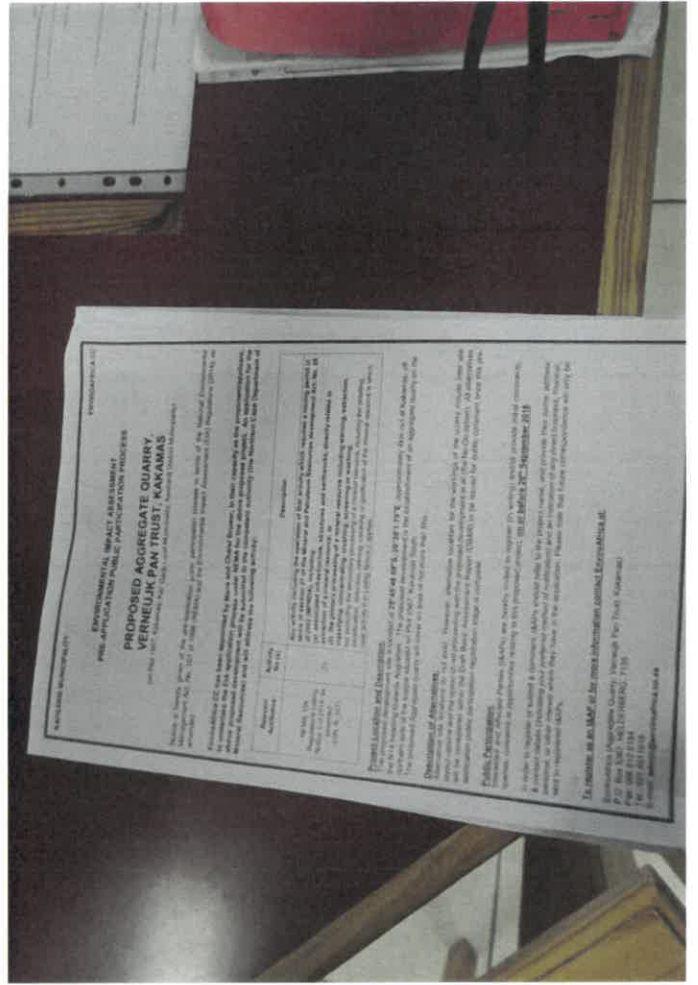


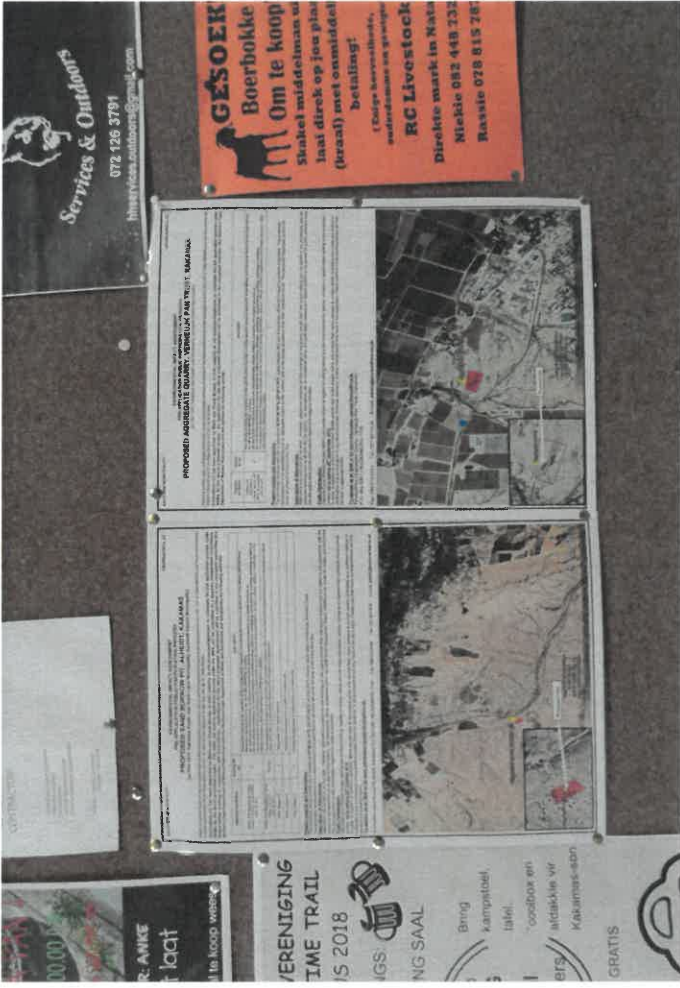


independent development at all the N-20 options. All alternatives will be considered and the preferred alternative will be identified and the reasons for not proceeding with the  
 the pre-application public participation registration stage is complete.  
 Public Participation  
 Interested and Affected Parties (I&APs) are hereby invited to register (in writing) and/or provide initial comments, queries, concerns or suggestions relating to the proposed  
 in order to register or submit a comment, I&APs should refer to the project name, and provide their name, address & contact details. I&APs should also provide a summary of  
 notification) and an indication of any direct business, financial, personal, or other interests which they have in the application. Please note that future representations that they  
 be sent to registered I&APs.  
 To register as an I&AP or for more information contact Environmental Africa at:  
 Environmental Africa  
 P.O. Box 5387, HELDENBERG, 7135  
 Fax: 086 512 0154 Tel: 021 8511816 E-mail: [admin@envafrica.co.za](mailto:admin@envafrica.co.za)











**PUBLIC PARTICIPATION PROCESS**

**Sand Borrow Pit,  
Alheidt, Kakamas  
(Plot 2372, Kakamas)**

**I&AP List  
for:**

**24 August 2018  
(1st round)**

**First public participation period starts 24 August 2018 and ends 25 October 2018**

**Newspaper Advert Placed:**

Title	Initials/Name	Surname	Affiliation	Postal Address	Town/City	Code	Telephone	Fax	E-mail
1. Applicant									
1.1 Ms A		Bruwer	Applicant	PO Box 241	Kakamas	8870	054 431 0088 083 506 1857	054 431 0550	<a href="mailto:marie@isat.co.za">marie@isat.co.za</a>
1.2 Ms M		Bruwer	Contact person for Applicant	PO Box 241	Kakamas	8870	054 431 0088 / 082 339 9827	054 431 0550	<a href="mailto:marie@isat.co.za">marie@isat.co.za</a>
2. Property/Land Owners:									
2.1 Mr Johan		Coetze	Land Owner	PO Box 68	Marchand	8873	078 1833 288	054 431 0550	<a href="mailto:marie@isat.co.za">marie@isat.co.za</a>
3. Occupiers									
3.1 Charel and Marie		Bruwer	Contact persons for Applicant	PO Box 241	Kakamas	8870	054 431 0088 / 082 339 9827	054 431 0550	<a href="mailto:marie@isat.co.za">marie@isat.co.za</a>
4. Municipalities									
4.1 Mr JG		Laksgaan	Municipal Manager, KailCarib Municipality	Private Bag x6	Kakamas	8870	054 461 6400	054 461 6401	<a href="mailto:mm@kai garib.gov.za">mm@kai garib.gov.za</a> or <a href="mailto:admin@kai garib.gov.za">admin@kai garib.gov.za</a>
4.2 Mr JJJ		Olyn	Mayor, Kakamas, KailCarib Municipality	Private Bag x6	Kakamas	8870	054 461 6400	054 461 6441	<a href="mailto:mayor@kai garib.gov.za">mayor@kai garib.gov.za</a>
4.3 Mr Elias		Ntoba	ZF Mgecawu District Municipality	Private Bag x6039	Upington	8800	054 337 2800	054 337 2888	<a href="mailto:mm@zfm-dm.gov.za">mm@zfm-dm.gov.za</a>
5. Municipal Ward Councillors:									
5.1 Ms BM		Bock	KailCarib Municipality	Private Bag x6	Kakamas	8870	054 461 6700	054 461 6401	<a href="mailto:admin@kai garib.gov.za">admin@kai garib.gov.za</a>
6. State Organisations:									
6.1 Mr O		Riba	Department of Environmental and Nature Conservation NC	Private Bag X6102	Kimberley	8300			
6.2 Mr W		Mothibi	Head of Department: Agriculture, Land Reform and Rural Development	Private Bag X3018	Kimberley	8300	053 838 9102	053 832 4328	
6.3 Mr R		Mazwi	Dept. of Water and Sanitation - NC	Private Bag x6101	Kimberley	8300	053 773 1239		
6.4 Ms G		Bolha	Co-operative Governance, Human Settlements and Traditional Affairs	Private Bag X3005	Kimberley	8300	053 830 9422	053 831 4308	
6.5 Mr K		Nogwili	Dept. of Transport, Roads & Public Works	P. O. Box 3132	Kimberley	8301	053 839 2100	053 839 2291	
6.6 Mr J		Mans	Dept. of Agriculture, Forestry and Fisheries	P. O. Box 2782	Upington	8800	054 338586	054 3340030	<a href="mailto:jacolineMa@daf.gov.za">jacolineMa@daf.gov.za</a>
6.7 Mr JC		van der Wall	SANRAL	P/Bag X 19	Bellville	7535	021 957 4600		
6.8 Ms L		Wolfe	Department: Transport, Safety and Liaison	Private Bag X1368, Southey Chambers, Southey Street,	Kimberley	8300	053 839 1700	053 839 1773	
6.9 Mr J		Geeringh	Eskom Transmission	MegaWatt Park, D1Y38 or P.O. Box 1091	Johannesburg	2000	011 516 7233	086 661 4064	<a href="mailto:john.geeringh@eskom.co.za">john.geeringh@eskom.co.za</a>
7. Neighbours									
7.1 Mr T		van der Heever	Chargo Trust	P. O. Box 624	Kakamas	8870	054 441 0291		
7.2 Mr P. T.		Dykman	Individual	P.O. Box 537	Kakamas	8870	082 781 7527		<a href="mailto:pier@diddfarms.net">pier@diddfarms.net</a>
7.3 The Managing Director		Triple D Farms (Pty) Ltd	Triple D Farms (Pty) Ltd	P.O. Box 537	Kakamas	8870	054 431 1568		<a href="mailto:pier@diddfarms.net">pier@diddfarms.net</a>
7.4 Maildrop delivery done at local library									
7.5 Mr E		Koen	Die Heuvel Boerdery	P.O. Box 137	Kakamas	8872	082 437 7387		
7.6 Mr K		van Zyl	Van Loveren Boerdery	P.O. Box 369	Kakamas	8873	082 782 7918		
8. Other									
8.1 Ms Anna		Strauss	Kalahari Bulletin	Per email correspondence			054 331 3482	086 271 3300	<a href="mailto:astrauss@volksblad.com">astrauss@volksblad.com</a>
8.2 Ms Melanie		Miles	Leads 2 Business	Per email correspondence			086 083 6337	033 343 5882	<a href="mailto:melaniem@L2B.co.za">melaniem@L2B.co.za</a>
8.3 The Director			SKA Africa	3rd Floor, The Park, Park Road,	Pinelands	7433	021 506 7300	021 506 7375	

SOMERSET MALL 7137  
 23 AUG 2018  
 COUNTER 3

12



## Vivienne Thomson

---

**From:** Vivienne Thomson <vivienne@enviroafrica.co.za>  
**Sent:** Thursday, 30 August 2018 8:50 AM  
**To:** 'christine@trinitysystems.co.za'  
**Subject:** Sand Borrow Pit, Alheidt, Kakamas

Dear Ms. Van Rooyen

Thank you for your email related to the above project. As per the telephonic message left with your office just after receiving your mail on Thursday, 23 August 2018, you have been registered as an interested and/or affected party for the proposed project.

Thank you,  
Vivienne Thomson



**EnviroAfrica**

*Environmental Consultant*

**EnviroAfrica cc**

p: +27 21 851 1616

f: +27 86 512 0154

a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130

P.O. Box 5367, Helderberg, 7135

w: [www.enviroafrica.co.za](http://www.enviroafrica.co.za) e: [vivienne@enviroafrica.co.za](mailto:vivienne@enviroafrica.co.za)

Please consider the environment and only print this mail if necessary.

**From:** Christine van Rooyen <[christine@trinitysystems.co.za](mailto:christine@trinitysystems.co.za)>  
**Sent:** August 29, 2018 2:20 PM  
**To:** [admin@enviroafrica.co.za](mailto:admin@enviroafrica.co.za)  
**Subject:** RE: Proposed Sand Borrow Pit - Environmental Assessment - Affected Party  
**Importance:** High

Good day,

Kindly confirm that I have been added as an affected Party.  
Vivian, could you kindly contact me on this.

My number again: 082 906 3577

Thanking you,  
Christine van Rooyen

**From:** Christine van Rooyen [<mailto:christine@trinitysystems.co.za>]  
**Sent:** 23 August 2018 04:17 PM  
**To:** 'admin@enviroafrica.co.za'  
**Subject:** Proposed Sand Borrow Pit - Environmental Assessment - Affected Party  
**Importance:** High

Good day,





Kindly register me as an Interested and Affected Party in the Proposed Sand Borrow Pit, Alheidt, Kakamas.  
Application done by Marie and Charel Bruwer.

My Details below:

Christine van Rooyen  
Perseel 1765, 1766  
Kakamas Suid  
Northern Cape  
8870

Kind Regards,

Christine van Rooyen

	054 431 0105 (Office) +2782 906 3577 (Cellphone)
	+2786 670 0460
	<a href="mailto:accounts@trinitysystems.co.za">accounts@trinitysystems.co.za</a>
	<a href="http://www.trinitysystems.co.za">www.trinitysystems.co.za</a>



**Trinity Systems**

Computer Hardware, Software  
& Support



This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version. Trinity Systems, Shop 3, Perseel nr 1503, Augrabiesweg, Kakamas, 8870. [www.trinitysystems.co.za](http://www.trinitysystems.co.za)

---

This message is confidential. It may also be privileged or otherwise protected by work product immunity or other legal rules. If you have received it by mistake, please let us know by e-mail reply and delete it from your system; you may not copy this message or disclose its contents to anyone. Please send us by fax any message containing deadlines as incoming e-mails are not screened for response deadlines. The integrity and security of this message cannot be guaranteed on the Internet.

---

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

Trinity Systems, Shop 3, Perseel nr 1503, Augrabiesweg, Kakamas, 8870.

<http://www.trinitysystems.co.za>



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Directorate: Forestry Management (Other Regions)  
P.O. Box 2782, Upington, 8800, Tel 054 338 5909, Fax 054 334 0030

Enquiries: J Mans  
E-mail: [JacolineMa@daff.gov.za](mailto:JacolineMa@daff.gov.za)  
Date: 06 September 2018  
Ref: 40.8.14.2/NC/122

Enviro Africa CC  
P.O. Box 5367  
Helderberg  
7135

E-MAIL ADDRESS: [Admin@enviroafrica.co.za](mailto:Admin@enviroafrica.co.za)

RE: COMMENTS ON PRE-APPLICATION PPP ON THE PROPOSED SAND BORROW PIT, ALHEIDT,  
KAKAMAS, NORTHERN CAPE PROVINCE

## 1. DEPARTMENTAL MANDATE

The Directorate: Forestry Management (Other Regions) in the Department of Agriculture, Forestry and Fisheries (DAFF) is responsible for administration of the **National Forests Act, Act 84 of 1998 (NFA)** and the **National Veld and Forest Fires Act, Act 101 of 1998** as amended. The developer must take note of the following sections of the NFA:

- 1.1 Section 12(1): "The Minister may declare-
- (a) a particular tree,
  - (b) a particular group of trees,
  - (c) a particular woodland; or
  - (d) trees belonging to a particular species, to be a protected tree, group of trees, woodland or species.
- 1.2 Section 15(1): "No person may-
- (a) Cut, disturb, damage or destroy any protected tree; or
  - (b) Possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree, or any forest product derived from a protected tree, except-
    - (i) under a license granted by the Minister; or
    - (ii) in terms of an exemption from the provision of this subsection published by the Minister in the Gazette on the advice of the Council."

- 1.3 "Any person who contravenes the prohibition on-
- (i) The cutting, disturbance, damage or destruction of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(a); or
  - (ii) The possession, collection, removal, transport, export, purchase or sale of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(b), or any forest product derived from a temporarily protected tree, group of trees or protected tree, is guilty of a first category offence.
- 1.4 Section 58 (1): "Any person who is guilty of a first category offence referred to in sections 62 and 63 may be sentenced to a fine or imprisonment for a period of up to three years, or to both a fine and such imprisonment."
- 1.5 The list of protected tree species under section 12(1) (d) of the National Forests Act, 1998 (Act No. 84 of 1998) is published annually; the most recent publication was in GN690 of 8 September 2017.

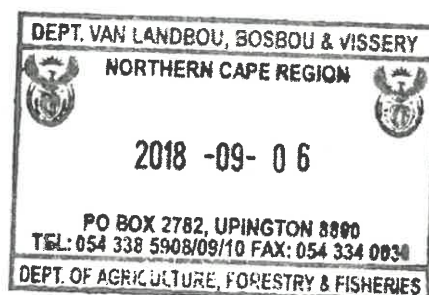
## 2. COMMENTS ON PRE-APPLICATION PPP

- 2.1 Protected trees are known to occur in the vicinity of Alheidt, Kakamas. Clearance of an area of up to 5 ha for sand borrow pit may impact on provincially and nationally protected plants and trees. Please assess the potential impacts on protected plants and trees (if any) and move the planned sand borrow pit to a site where it would have minimal impacts.
- 2.2 If the development of the sand quarry is authorised, the developer must obtain the necessary Flora Permit and Forest Act Licenses before damaging or disturbing any protected plant or tree.
- 2.3 Please overlay the development site on the Northern Cape Critical Biodiversity Area (CBA) map. If the site falls in a CBA 1, CBA 2 or Ecological Support Area (ESA) please ensure that comments are obtained from Nature Conservation.
- 2.4 Please note there is currently a Moratorium in place in the Northern Cape, prohibiting the removal of Quiver trees *Aloe dichotoma* (now *Aloidendron dichotomum*) from the wild. For additional information on the Moratorium, please contact Northern Cape Nature Conservation. The presence of Quiver trees on site may poses a fatal flaw.
- 2.5 It a Forest Act License is required, please note it can take up to 30 days to get such a license. A License (if granted) is only valid for a specific area/specific trees and for a maximum period of two years. The License application form is available at any Forestry Office or online at [www.daff.gov.za](http://www.daff.gov.za)

Kind Regards,

  
Jacoline Mans

Chief Forester: NFA Regulation



## **SUPPORTING DOC 1**

There simply **CANNOT** be 2 sand mining operations on the same stretch of the Hartebees river.

I do not particularly care who mines the area (CA Bruwer Konstruksie or Kobus Duvenhage Bouers), but two **consecutively**, and right next to each other is harmful to the environment in the extreme.

As of yet, no feedback has been provided on the mining license of CA Bruwer Konstruksie. How can Kobus Duvenhage's bid be approved without closure on the validity of CA Bruwers mining rights?

A new discovery needs to be brought to light from an environmental perspective.

On the 24<sup>th</sup> February, after the flooding of the Hartebees, my husband and I discovered that Triops were living in the Hartebees river.

Triops are a protected species of animal.

Their eggs are able to survive decades in the sediment of the ponds and lakes they inhabit. These eggs are resistant to drought and temperature extremes.

The species is legally **protected** under Schedule 5 of the Wildlife and Countryside Act 1981.

### **Wildlife and Countryside Act 1981 (Schedule 5 Section 9.4b): Current**

Section 9.4 Animals which are protected from intentional disturbance while occupying a structure or place used for shelter or protection.

See attached images of the Triops discovered.

Again, I am not partial to who mines this stretch of Hartebees river.

What I am contesting is the **ENVIRONMENTAL IMPACT** of two mining companies operating in close proximity to each other in an ecologically sensitive area, which should be all rights, be protected.





Side note: The Hartesbees river does not always flood. This only happens when enough rainwater has gathered upstream. The flooding occurs perhaps one every 2 years if we are lucky.

This is when the triops breed out of the eggs laid during the previous flooding.