

PUBLIC PARTICIPATION PROCESS

COMMENTS AND RESPONSE REPORT

PROPOSED CRUSHING AND SCREENING OF
STONE/ROCK ON A PORTION OF PORTION 3 OF KLAAS
VOOGDS RIVIER 37, ROBERTSON, WESTERN CAPE
PROVINCE

Reference number:

WC 30/5/1/3/2/10100 MP

NOTIFICATION OF APPLICATION TO STAKEHOLDERS AND I&APS DURING INITIAL PUBLIC PARTICIPATION PHASE

COMMENTING PERIOD: 6 AUGUSTUS – 17 SEPTEMBER 2015

During the initial public participation process the stakeholders and I&AP's were informed of the project by means of I&AP comment/notification letters that were either delivered by hand or sent directly to the contact persons. A 30 days commenting period were allowed which extended to the 17th of September 2015. During this period it was still anticipated that an EIA for the screening of the rocks from the fields will be handled by DEA&DP and the mining permit for the processing of the rocks will be handled by DMR, and therefore two separate letters were distributed inviting stakeholders and I&AP's to comment. The following I&AP's and stakeholders were informed of the project:

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Altus Malherbe Familie Trust	Landowner	Cell: 082 893 6328 awmalherbe@mweb.co.za		Mr Altus Malherbe has signed a landowner's agreement.
Surrounding Landowner S Bruwer	JS Bruwer bouery	jsb@unipack.co.za	06-17 August 2015	No response received
Surrounding Landowner B Grove	Granite Park	luxardo@vodamail.co.za	06-17 August 2015	No response received
Surrounding Landowner N Marais	Kranskop Wyne (Pty) Ltd	info@kraskopwines.co.za	15 August 2015	No response received
Surrounding Landowner HN Bruwer	HN Bruwer Boerdery	admin@hnbrewer.co.za	17 August 2015	No response received
Surrounding Landowner LA van Zyl	LA van Zyl	lvz@dieouhuis.co.za	17 August 2015	No response received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Surrounding Landowner VU Papesch Karl Uwe Papesch	Fraai Uitzicht 1798	info@fraaiuitzicht.com	6 August 2015	Registered as an I&AP on 1 September 2015

Mr Papesch submitted the following comments:

- The main focus of Mr. Papesch's cooperation is the running of a top rated restaurant and wine cellar.
- Fraai Uitzicht follows the international trend in the tourism industry in offering a unique product in the area and would like to keep the nature with the indigenous Karoo flora intact.
- The mentioned activities might have significant impact on the income of the farm as well as the value of the property.
- The following concerns were listed:
 1. Where is the precise position of the screening area,
 2. Visibility of the stockpiled area.
 3. Screening for at least 20 years – activity should be limited to a shorter period.
 4. Priced description of what should be mined and if the activities are limited to these only.
 5. What are the anticipated volumes and impact in depth to ground?
 6. Can activities be restricted for specific periods during the year and day?
 7. Is a rezoning of the farm necessary?
 8. Are the mining activities limited on the 4.9 ha plot?
 9. What are the relevant reasons for an extension of the mining permit and how does it work?
 10. Can the transport of the stones be limited to the gravel road to Ashton if stones are sold to projects which locations are in shorter distances via this road?
 11. What does “no quarry pit with high walls...” mean precisely?
 12. Who will be the Regional Manager?
 13. What happens in case of a property sale? Is the allowance linked to the property or the applicant?

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<p>The following response is offered in the Scoping Report to address Mr. Papesch concerns:</p> <ol style="list-style-type: none"> 1. Kindly refer to the description of Site Alternative 1 under heading <i>h)(i) Details of all alternatives considered.</i> 2. The footprint of the proposed processing area will be visible from the minor road passing the site as well as the higher laying areas to the north of the site. No permanent infrastructure will be established on site that could increase the visual impact. The height of the stockpiles will be controlled to manage the visual impact and it is proposed that the orchard to the west of the proposed site will assist in screening the activities. 3. A mining permit can only be valid for a maximum of seven year and the proposed operational phase is thus shortened to seven years. 4. The applicant intents to process the waste rock/stones of the property. The activities authorized in this application will be binding to the applicant. 5. The anticipated volume of rock to be processed at the area is ±10 000 ton/quarter. The proposed project will not have an impact on the depth to the ground as no rock will be quarried. The project only entails the processing of waste rock removed during field preparation. 6. The option could be further investigated during the Environmental Impact Assessment Process. 7. An application for temporary departure from the zoning provisions will be submitted to the Local Municipality prior to commencement of the activity. 8. The mining activities will be limited to the 4.9 ha area yes. 9. Upon laps of the initial three years of a mining permit, DMR allows the applicant to apply for and extension of the permit should it be deemed that the mineral can still be optimally utilized. The applicant has to submit an application for renewal of the mining permit to DMR for approval. 10. The option could be further investigated during the Environmental Impact Assessment Process. 11. No rock/stone will be quarried from the property as only waste rock will be used. The proposed project will therefore not create a “traditional mine” with high visual impacts. 12. The Regional Manager of the Department of Mineral and Resources. 13. The mining permit is linked to the applicant, which in this case is CP Concrete, and not the property. Should the property be sold the presence of a permitted processing area on the property will have to be included in the transfer documentations. 				
Surrounding Landowner M Marson	Fairview Farm	michaelm@barvallei.co.za	17 August 2015	No response received
Surrounding Landowner G Joubert	Klein Parys	joubert@kleinparys.co.za	17 August 2015	No response received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Executive Director Mr CV Schroeder	Cape Winelands District Municipality Community Development & Planning Services	023 348 2382	14 August 2015	No response received
Tracy Brunings	Langeberg Local Municipality	023 615 8001	14 August 2015	Response received 26/08/2015

Langeberg Municipality responded with the following comments:

1. The application site is Portion 3 of Klaas Voogds Rivier 37. An application to consolidate this farm with 4 surrounding farms and re-subdivide into 4 new farms was approved on 3 October 2013. According to our records, these subdivisions are still in the process of registration. If registered, the proposed mining activity will be contained within proposed Ptn 49 of Klaas Voogds River 37, Robertson. The application site must be clarified. The BID lists 4 properties, whereas the locality plan includes two additional farms (Portions 4 and 5 of KVR 37). An application to consolidate 5 of these farms (excluding Marthinus Vlei 34-4) and re-subdivide into 4 new farms was approved on 3 October 2013. According to our records, these subdivisions are still in the process of registration.
2. The application site is zoned Agricultural Zone 1 in terms of the Section 8 Zoning Scheme Regulation. The primary use permitted is "Agriculture", which means: "(a) the cultivation of land..., or (b) the breeding of animals, or (c) natural veld, and comprises only those activities and buildings that directly relate to the main farming activities on the farm... The proposed mining activities do not fall within the above definition and application must be made for a temporary departure from the zoning provisions.
3. More detailed assessment must be given in relation to the apparent drainage area near the south and eastern boundaries of the 4.9 ha. Particularly with regard to stormwater run-off and potential environmental impact on the district road.
4. Tributaries to the Klaas Voogds River occur across the site and comments from CapeNature and BGCMA are important to mitigate against any potential impact in this regard. Activities must remain at least 32 m from these watercourses to prevent triggering additional EIA listed activities.

The following response is offered in the Scoping Report to the comments of the Langeberg Municipality:

1. Should the property description of the proposed area change the changes will be communicated with DMR.
2. The applicant takes note of the temporary departure that is needed and will apply for approval prior to commencement with the activities.
3. These aspects will be further investigated during the Environmental Impact Assessment Process and fully described in the Environmental Impact

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>Assessment Report and Environmental Management Programme. A copy of the Draft Report will be made available for public review.</p> <p>4. Cape Nature and BGCMA were informed of the project and their comments will be considered once received.</p>				
Cllr RR Kortje	Langeberg Local Municipality Ward Councillor 4	071 262 9425	14 August 2015	No response received
Alana Duffell-Canham	CapeNature Scientist: Land-use	021 866 8029 082 727 2691	14 August 2015	Response received 13 August 2015
<p>CapeNature submitted the following response:</p> <ol style="list-style-type: none"> 1. The proposed screening area was historically covered by several vegetation types including Breede Shale Renosterveld, Breede Alluvium Renosterveld and Robertson Karoo. Breede Alluvium Renosterveld is currently listed as Vulnerable although it is very close to qualifying as Endangered under criterion A1 (remaining extent). Breede Shale Renosterveld and Robertson Karoo are listed as Least Threatened although both are poorly protected. Most of the area as outlined on the locality map has been transformed by agricultural activities although there are a few remnants of natural vegetation 2. The Martiensklouf River and associated tributaries are present on or near the site. These streams have been determined as Ecological Support Areas (ESAs) 3. We note that the application states that the screening process will only occur in existing fields and that no screening activities and natural vegetation as well as watercourses. Consideration must be given to erosion control and stormwater management. 4. Note that if the fields have not been cultivated within the last 10 years, this application may trigger the need for authorisation in terms of CARA as well as NEMA. 				
<p>Greenmined takes note and thank CapeNature for the comments submitted and will incorporate it into the EIAR and EMPR.</p>				
Elkerine Rossouw	Breede Gourits Catchment Management Agency	023 346 8000	14 August 2015	Registered as an I&AP on 11 August 2015

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Cor van der Walt Rudolph Roscher	Department of Agriculture	021 808 5099	14 August 2015	Mr Roscher phoned and spoke with Ms Fouche from Greenmined on 14 September 2015
The Department of Agriculture telephonically confirmed that if no new fields are opened the proposed project does not trigger the CARA act. Department of Agriculture was registered as I&AP				
Dr Robert Macdonald	Department of Social Development	021 483 5045 021 483 3083 021 483 3125	14 August 2015	Response received on 14 August 2015 "The Department of Social Development does not have any comment."
Fezeka Ngalo	Department of Labour Western Cape Provincial Office	(021) 441 8000 (021) 441 8158 082 791 6244	14 August 2015	No response received
Maroeda Johnson	Department of Land Affairs	021 409 0300	14 August 2015	No response received
Jody Horniet	Department of Environmental Affairs and Development Planning	021 483 4091	14 August 2015	No response received
Faisal Fakier Ms GD Swanepoel	Department of Transport and Public Works	021 483 4391 021 482 2826	14 August 2015	Response received 15 September 2015
DTPW requested a locality plan and title deed of the proposed property. They also enquired information on how many trips will be generated by the mine on a daily basis and what sort of vehicles is involved				

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p><u>18 September 2015</u></p> <p>Greenmined provided the requested Locality Map and Title Deed and further responded that the proposed project will not increase the number of trucks that will travel on public roads.</p> <p>The aggregate will be moved from the processing area to the ready mix plant that is also on the farm via existing roads.</p> <p>Should the applicant be able to use the rock on the farm at the ready mix plant it will rather have a positive impact on traffic as it will entail the reduction of trucks needed to deliver material to the ready mix plant. Currently the material is bought from outside suppliers that need to deliver it to the farm. It is proposed that the proposed use of rock from the farm could reduce delivery trucks using the public roads by approximately 100 trucks per month (equivalent to ±4 trucks a day).</p>				
<p><u>07 October 2015</u></p> <p>DTPW again responded that at this stage they offer no objection however additional information regarding access and trips generated will be required in the future for the Branch to assess the impact of the proposed mine.</p>				
Mr Andrew Hall	Heritage Western Cape Heritage Resource Council	021 483 9598	Uploaded onto SAHRIS 18 August 2015	No response received

SUMMARY OF INITIAL PARTICIPATION PROCESS

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

- telephonic discussions,
- direct communication with notification letters,
- placement of on-site notices, and
- placement of two advertisements in the Breederivier Gazette.

2. The following I&AP's and stakeholders were registered on the project:

- Breede Gourits Catchment Management Agency
- CapeNature
- Department of Agriculture
- Department of Social Development
- Department of Transport and Public Works
- Fraai Uitzicht 1798 (Mr Papesch)
- Langeberg Local Municipality

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

SECOND PHASE PUBLIC PARTICIPATION

NOTIFICATION OF STAKEHOLDERS AND I&APS THAT THE DRAFT SCOPING REPORT IS AVAILABLE FOR PERUSAL

COMMENTING PERIOD: 19 JANUARY – 19 FEBRUARY 2016

The Draft Scoping Report (DSR) was compiled and distributed to all the registered I&AP's and stakeholders listed above. The I&AP's and stakeholders that did not register during the initial public participation phase were notified, by means of a letter, that the DSR is available for their perusal should they be interested. A 30 days commenting period, ending on the 19th of February 2016, was allowed for perusal of the documentation and submission of comments. The comments received during this period were added to the Final Scoping Report to be submitted to DMR for review. See attached as Appendix A proof that the I&AP's and stakeholders were contacted.

The following stakeholders submitted comments on the Draft Scoping Report:

- CapeNature
- Department of Environmental Affairs and Development Planning
- Department of Transport and Public Works
- Langeberg Local Municipality

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Altus Malherbe Familie Trust	Landowner	Cell: 082 893 6328 awmalherbe@mweb.co.za	26 January 2016	No response received
Surrounding Landowner S Bruwer	JS Bruwer bouery	jsb@unipack.co.za	19 January 2016	No response received
Surrounding Landowner B Grove	Granite Park	luxardo@vodamail.co.za	19 January 2016	No response received
Surrounding Landowner N Marais	Kranskop Wyne (Pty) Ltd	info@kraskopwines.co.za	19 January 2016	No response received
Surrounding Landowner HN Bruwer	HN Bruwer Boerdery	admin@hnbruwer.co.za	19 January 2016	No response received
Surrounding Landowner LA van Zyl	LA van Zyl	lvz@dieouhuis.co.za	19 January 2016	No response received
Surrounding Landowner VU Papesch Karl Uwe Papesch	Fraai Uitzicht 1798	info@fraaiuitzicht.com	20 January 2016	Response received from Mr Papesch on 22 February 2016

A letter from Mr Papesch was received, by post, on the 22nd of February 2016 stating that he received the DSR only at the end of January 2016. He further stated that the DSR could not be opened from the CD that was supplied. He requested another CD and hard copy of the document, and extension on the commenting period to submit his comments.

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>Response from Greenmined:</p> <p>Mr Papesch called Ms Fouche (Greenmined) on the 28th of January 2016 to confirm that he received the DSR and to enquire what the way forward entails. Ms Fouche explained the commenting period and EIA process to Mr. Papesch and invited him to submit his comments on the report. Mr. Papesch did not mention that he could not access the document on the CD. He also never phoned back, after this call, to inform Greenmined that he cannot access the documents.</p> <p>Greenmined telephonically explained to Mr Papesch that the Final Scoping Report needs to be submitted to DMR by the 27th of February 2016 and therefore unfortunately no extension of the commenting time can be accommodated. He was however supplied with a hard copy of the DSR and invited to still submit any comments he would like to add to the report. Mr. Papesch's comments will be added to the Draft EIA report should the FSR be approved by DMR.</p> <p>A hard copy of the Draft EIA report will be distributed to Mr. Papesch and the registered I&AP's and stakeholders for another 30 days commenting period.</p>				
Surrounding Landowner M Marson	Fairview Farm	michaelm@barvallei.co.za	19 January 2016	No response received
Surrounding Landowner G Joubert	Klein Parys	joubert@kleinparys.co.za	19 January 2016	No response received
Executive Director Mr CV Schroeder	Cape Winelands District Municipality Community Development & Planning Services	023 348 2382	19 January 2016	No response received
Tracy Brunings	Langeberg Local Municipality	023 615 8001	20 January 2016	Response received 16 February 2016

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>Langeberg Local Municipality submitted the following comments on the Draft Scoping Report:</p> <p>Further to our initial comments, as emailed to you on 26 August 2015, please note the following:</p> <ol style="list-style-type: none"> Under the legislative Context, the <u>land use</u> legislation should be included: Land Use Planning Act 3/2014 and Langeberg Mun Land Use Bylaws 264/2015; & Provincial and Municipal SDFs. In response to our initial comments, you state that <i>The applicant takes note of the temporary departure that is needed and will <u>apply</u> for approval prior to commencement with the activities</i>". For clarity, please note that no activity may commence unless and until such time as <u>approval is issued</u>. i.e. the lodging of an application for a particular land use right in itself will not grant the right to commence with the activity; nor is the positive outcome of such application a given. If time is an issue, then it may be worth considering lodging the LUPA departure application as soon as possible. An application of this nature takes on average 5-8 months from date of lodgement to date of decision. Under the heading Human Environment, "(b) Description of the current land uses", further details are requested regarding the land use identified as "Light Industrial" – ready mix plant, operated by CP Concrete. What does this plant comprise of? Size? How long has it been in operation? etc. 				
<p>Greenmined Responded: 19 February 2016</p> <p>Greenmined herewith acknowledge and thank you for the comments submitted on the Draft Scoping Report for the proposed mining permit on Portion 3 of Klaas Voogds Rivier 37, Robertson.</p> <p>Your comments will be added to the Final Scoping Report to be submitted to DMR for their perusal. In the meantime please receive our response below:</p> <ol style="list-style-type: none"> Under the legislative Context, the land use legislation should be included: Land Use Planning Act 3/2014 and Langeberg Mun Land Use Bylaws 264/2015; & Provincial and Muncipal SDFs. <i>Comment noted and the listed legislation will be added to the FSR.</i> In response to our initial comments, you state that "The applicant takes note of the temporary departure that is needed and will apply for approval prior 				

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<p>to commencement with the activities". For clarity, please note that no activity may commence unless and until such time as approval is issued. i.e. the lodging of an application for a particular land use right in itself will not grant the right to commence with the activity; nor is the positive outcome of such application a given. If time is an issue, then it may be worth considering lodging the LUPA departure application as soon as possible. An application of this nature takes on average 5-8 months from date of lodgement to date of decision.</p> <p><i>The proponent is aware of the approval that needs to be obtained for temporary departure, and that no work may commence prior to receipt of it. CP Concrete will again be informed of the timeframe associated with the application and advised to commence with the application process as soon as possible.</i></p> <p>3. Under the heading Human Environment, "(b) Description of the current land uses", further details are requested regarding the land use identified as "Light Industrial" – ready mix plant, operated by CP Concrete. What does this plant comprise of? Size? How long has it been in operation? etc.</p> <p><i>The plant is of small scale and comprise of a Weight Bin into which the sand, cement (bagged cement – no silo necessary) and aggregate is fed by a Loader. From the Weight Bin the mix is fed via conveyor belt into the waiting Concrete Truck where it is mixed during transport to the client. Water is added directly into the Concrete Truck. The approximate output of the Ready Mix plant is ±1 000 – 1 500m³ concrete / month. The activity has been operational for the last 7 – 8 years. The plant is situated on a concreted area at the back of the packing warehouses.</i></p>				
<p>Langeberg Local Municipality submitted the following comments on the Draft Scoping Report: on the 19th of February 2016:</p> <p>Further to our initial comments, The ready-mix plant itself is not a primary use in the Agricultural zone I and we have no records of an application for / approval of this land use. The Planning consultant who lodges the application for departure for the mining must also assess what application should be simultaneously made with regard to obtaining approval for this plant.</p>				
<p>Greenmined responded on the 22nd of February 2016:</p> <p>Thank you we will inform the project team accordingly.</p>				
Cllr RR Kortje	Langeberg Local Municipality Ward Councillor 4	071 262 9425	19 January 2016	No response received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Alana Duffell-Canham	CapeNature Scientist: Land-use	021 866 8029 082 727 2691	19 January 2016	Response received 25 January 2016
<p>CapeNature submitted the following comments on the Draft Scoping Report:</p> <ol style="list-style-type: none"> Historically, the preferred site (Alternative 1) was covered by Breede Shale Renosterveld and Robertson Karoo. Breede Shale Renosterveld is currently listed as Least Threatened although it has very little formal protection. However, the site appears to have been largely transformed due to historical cultivation and there is almost no natural vegetation remaining on the site. We therefore do not object to Alternative 1 provided that appropriate buffers are implemented. We recommend a minimum buffer of 30 m between any mining/processing activities and watercourses and wetlands and a minimum buffer of at least 20 m between any mining/processing activities and natural vegetation. Storm water management and erosion prevention measures must be implemented on site. 				
Elkerine Rossouw	Breede Gourits Catchment Management Agency	023 346 8000	20 January 2016	No response received
<p>Greenmined requested BGCMA to confirm whether any drainage lines pass through the proposed study site. During a telephonic discussion, Me. Rossouw suggested that the Klaas Voogds River Irrigation Board be contacted to get confirmation on the position of drainage lines.</p>				
Louis Bruwer	Klaas Voogds Irrigation Board	023 626 2451	15 February 2016	25 February 2016
<p>Greenmined requested confirmation from the KVRIB whether any drainage lines pass through the proposed study area. Mr Louis Bruwer from the KVRIB confirmed that no drainage line pass through the proposed study area.</p>				

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Cor van der Walt Rudolph Roscher	Department of Agriculture	021 808 5099	19 January 2016	No response received
Dr Robert Macdonald	Department of Social Development	021 483 5045 021 483 3083 021 483 3125	19 January 2016	No response received
Fezeka Ngalo	Department of Labour Western Cape Provincial Office	(021) 441 8000 (021) 441 8158 082 791 6244	19 January 2016	No response received
Maroeda Johnson	Department of Land Affairs	021 409 0300	19 January 2016	No response received
Mr D Matthews	Department of Environmental Affairs and Development Planning	021 483 4091	19 January 2016	Response received 11 February 2016

DEA&DP submitted the following comments on the DSR:

1. The comment received from Langeberg Municipality indicates that tributaries to the Klaas Voogds River traverse the site proposed for the processing of rocks/stone. According to the Department's Web GIS (attached as Appendix A), there is a watercourse that traverses the area identified for the processing of rocks/stone. You are required to obtain comment from BGCMA regarding the presence of a watercourse across the proposed site. If there is a watercourse present on site, then additional watercourse related activities in terms of the NEMA Act, 1998 (Act No. 107 of 1998), viz, the EIA Regulations , 2014 (Government Notice No. R. 982, R. 983, R. 984 and R. 985 in Government Gazette No. 382882 of 4 December 2014) will be triggered and must form part of the application for environmental authorisation.
2. You are required to provide clarity for including Activity 22 of GN No. R. 983 as part of the application for Environmental Authorisation.

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<ol style="list-style-type: none"> 3. The recommendations of CapeNature regarding buffer areas must be included as mitigation measures in the EMPr that forms part of the EIAR. 4. Please be advised that the Department awaits the submission of the draft EIAR for commenting purposes. 				
<p>Greenmined Responded; 12 February 2016</p> <ol style="list-style-type: none"> 1. Greenmined take note of the concern that tributaries to the Klaas Voogds River may possibly traverse the site. Although no streams, drainage lines or other watercourses, flowing through the proposed 4.9 ha application area, could be identified during the site inspection a formal request for confirmation of the above mentioned was put to the Breede-Gouritz Catchment Management Agency (BGCMA). Should their comments be received in time it will be added to the Final Scoping Report and a copy of the comments will be made available to DEA&DP. If not, the comments will be added to the Draft EIA report and the matter will be appropriately assessed. Should any watercourse within the proposed footprint area be identified, additional watercourse related activities in terms of the NEMA & EIA regulations, 2014 will be considered and added to the application. 2. The reasoning behind including Activity 22 of GN No R 983 as part of the application was that the said activity requires Environmental Authorisation to be obtained for the decommissioning of any activity requiring a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002). It is believed that Activity 22 will be triggered during the decommissioning phase of the proposed activity as the MPRDA requires a permit holder to apply for a closure certificate within 180 days from the laps of the mining permit. In order to prevent the necessity of again having to apply for environmental authorisation once the activity has ceased and the applicant wants to rehabilitate and close the permitted area, Activity 22 is added to the initial application for environmental authorisation. It is believed that the environmental impacts related to the opening and closing of the proposed processing activity can successfully be discussed and assessed as part of the current EIA process and therefore the said activity was added to the list of activity that will be triggered. 3. Greenmined acknowledge the comment. The recommendations of CapeNature will be added to the EMPr & EIAR. 4. DEA&DP will be supplied with a copy of the Draft EIAR and EMPr for their perusal. 				

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Faisal Fakier Ms GD Swanepoel	Department of Transport and Public Works	021 483 4391 021 482 2826	19 January 2016	Response received 12 February 2016
DTPW responded on the DSR that at this stage they offer no objection and further comments will be made in terms of the Land Use Planning Ordinance.				
Mr Andrew Hall	Heritage Western Cape Heritage Resource Council	021 483 9598	Uploaded onto SAHRIS 20 January 2016	No response received
Regional Manager	DMR	(021) 427 1000	Uploaded onto SAMRAD 20 January 2016	No response received

THIRD PHASE PUBLIC PARTICIPATION

NOTIFICATION OF STAKEHOLDERS AND I&APS THAT THE DRAFT EIAR AND EMPR IS AVAILABLE FOR PERUSAL

COMMENTING PERIOD: 19 MAY – 20 JUNE 2016

The Draft Environmental Impact Assessment Report and Environmental Management Programme Report (DEIAR & EMPR) were compiled and distributed to all the registered I&AP's and stakeholders listed above. The I&AP's and stakeholders that did not register during the initial public participation phase were notified, by means of a letter, that the DEIAR & EMPR were available for their perusal should they be interested. A 30 days commenting period, ending on the 20th of June 2016, was allowed for perusal of the documentation and submission of comments. The comments received during this period were added to the Final DEIAR & EMPR to be submitted to DMR for review. See attached as Appendix A proof that the I&AP's and stakeholders were contacted.

The following I&AP's and stakeholders submitted comments on the Draft DEIAR & EMPR:

- Breede-Gouritz Catchment Management Agency
- CapeNature
- Department of Agriculture
- Fraai Uitzicht 1798 (Mr Papesch)

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Surrounding Landowner S Bruwer	JS Bruwer bouery	jsb@unipack.co.za	19 May 2016	No response received
Surrounding Landowner B Grove	Granite Park	luxardo@vodamail.co.za	19 May 2016	No response received
Surrounding Landowner N Marais	Kranskop Wyne (Pty) Ltd	info@kraskopwines.co.za	19 May 2016	No response received
Surrounding Landowner HN Bruwer	HN Bruwer Boerdery	admin@hnbruwer.co.za	19 May 2016	No response received
Surrounding Landowner LA van Zyl	LA van Zyl	lvz@dieouhuis.co.za	19 May 2016	19 May 2016

LA van Zyl requested an electronic copy on 19 May 2016. It was sent by Greenmined on 30 May 2016 by registered mail. No further comments were received on the report.

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Surrounding Landowner VU Papesch Karl Uwe Papesch	Fraai Uitzicht 1798	info@fraaiuitzicht.com	16 May 2016	20 June 2016
<p>Mr Papesch commented that after perusal of the DEIAR & EMPR he is concerned that his objections were not adequately presented in the report. He pointed out that Fraai Uitzicht 1798 has not just a restaurant and a wine cellar, but probably the most well-known guest house in the Robertson Valley. They have national and mainly international guests staying with them as well as contracts with international tour operators. Fraai Uitzicht 1798 is for all of them a synonym of a tranquil place in the Western Cape. According to Mr Papesch the noise pollution is becoming a more and more important issue. Mr Papesch further states that at a place where one want to relax and enjoy nature you would not expect noise, dust and visual impact from mining activities. The main concern is that Fraai Uitzicht 1798 would face a negative impact with regard to income as well as the value of the business as a result of the proposed mining activities.</p> <p>Mr Papesch also raised the following points on which he requested clarity:</p> <ul style="list-style-type: none"> • The document from the Langeberg Local Municipality dated 22.02.2016 could not be found in the DEIAR & EMPR; • According to his understanding the mining permission will be for 7 years, • According to his understanding the expected volume is 80 000 tons in two years; • The trees on the west side of the crushing zone does not exist. 				
<p>Greenmined acknowledged and responded to Mr Papesch's comments on the 28th of June 2016. The comments received from Mr Papesch were added to the Final EIAR & EMPR to be submitted to DMR for their decision making.</p> <p>Greenmined further mentioned that Mr Malherbe confirmed on the 23rd of June 2016 that he met with Mr Papesch in order to discuss the proposed project and associated impacts that may have a potential negative impact on Fraai Uitzicht 1798. According to Mr Malherbe, the outcome of the meeting was that the two parties is in the process of sorting the concerns, raised in the comments on the DEIAR & EMPR, internally and that no additional meeting or intervention from Greenmined was presently required. Mr Papesch was asked to respond to the correspondence should he feel a meeting was still required.</p>				

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<p>The matters on which Mr Papech requested clarity were also elaborated on as listed below:</p> <ul style="list-style-type: none"> • The last response from Langeberg Local Municipality was received on 19 February 2016. This response was attached on page 142 of the Proof of Public Participation document with Greenmined's response to the comment added to page 143 of the document. Also see the comment attached to this e-mail for your convenience. • An approved mining permit is valid for 3 years upon which it can be renewed twice for a maximum period of two years each. Should the renewals be approved by DMR the maximum validity period will therefore amount to 7 years. • That is correct. The anticipated production rate is approximately 10 000 ton/quarter. • Thank you for pointing that out, the document were supposed to refer to the orchard to the EAST of the proposed site. We apologise for the error and will rectify it in the FEIAR. 				
<p>On the 3rd of July Mr Papesch confirmed the meeting held between himself and Mr Malherbe, and that they discussed initial ideas with regard to an alternative position for the concrete plant. However nothing has been finalised. Mr Papesch requested that a meeting be arranged towards the end of the school holidays or the beginning of the next school term as he was unavailable for most of the holidays.</p>				
<p>A consultation meeting was held with Mr. Papesch (20 July 2016) to clarify his concerns with the project. Please see Appendix A for a full copy of the minutes of the meeting.</p> <p>Mr. Papesch raised the following concerns in relation to the application:</p> <ul style="list-style-type: none"> • The position of the existing operational ready mix concrete plant; <p><i>Greenmined explained that any issues surrounding the ready mix concrete plant are separate to the application and that the current public participation process is aimed at addressing concerns relating to the proposed mining site. Greenmined understands the applicant and Mr Papesch are currently in discussions as to</i></p>				

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<p><i>how the ready mix concrete plant can be relocated to a different area and that any relocation issues need to be resolved internally.</i></p> <ul style="list-style-type: none"> <p>The location of the proposed mining area in relation to the guesthouse; <i>Location was clarified by means of a Google image. Mr. Papesch explained that this distance does not mean that the proposed activities will not be visible to guests by reason of the fact that guests may decide to take a walk along the mountain side.</i></p> <p><i>Greenmined explained that the rock that the applicant is applying to crush is (and has for some time) already being screened from the fields of the landowner. In this circumstance, the additional visual impact will be the temporary infrastructure (mobile crusher) and stockpiles of crushed rock. It was further explained that the visual impact of the stockpiles could be controlled by limiting the amount and height of the stockpiles.</i></p> <p>The maximum duration of the permit; <i>Greenmined explained that the maximum duration of the mining permit is 7 years. It was further explained that in terms of the current legislation (specifically regulation 34 of the NEMA 2014 regulations) the site is required to have an annual environmental audit. Notice of this annual report must be given to registered I & AP's who will then have an opportunity to request and peruse the report. The I&AP can submit reasons/comments to DMR. DMR will then use all information before it when deciding whether to renew the permit and/or whether compliance inspections are required.</i></p> <p>The operating hours of the proposed site; <i>Greenmined explained that the site will operate Monday to Saturday and only during normal daylight working hours.</i></p> <p>The procedure and consequences should the applicant decide to sell its business; <i>Greenmined explained that the EA is clear on the point that any subsequent permit holder is obliged to adhere to all conditions stipulated in the EA and EMPR. In an attempt to safeguard Mr. Papesch's interest and address his concerns it was suggested that should they feel additional conditions needs to be added to the EMPR, they highlight them for consideration.</i></p> 				

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<ul style="list-style-type: none"> <p data-bbox="174 293 1272 320">• The negative impact the proposed site will have on his income and value of his business;</p> <p data-bbox="174 336 2060 459"><i>Greenmined highlighted that this concern is not determinable at this stage as numerous factors may affect the value of a property. It is however strongly believed that the processing of rock on the 4.9 ha area at its proposed position will not have an impact on the value of the neighbouring properties. Mr Malherbe further explained that he has spent a great deal of money to neaten up the farm and will not allow haphazard activities that will also deface his property.</i></p> <p data-bbox="174 523 786 550">• Noise and dust generated by the proposed site;</p> <p data-bbox="174 566 2060 689"><i>Greenmined explained that the conveyor belts on the crushers have water sprayers to control dust created by the operation of the crusher and that water will be sprayed on the roads to prevent the creation of dust by trucks loading the crushed material and transporting it. It was further noted that a dust management plan could be implemented on site to effectively control dust and ensure that dust monitoring is done.</i></p> <p data-bbox="174 705 2060 1013"><i>It is not expected that the traffic on the Klaasvoogds (East) road will increase significantly as the proposed project will lessen the amount of external trucks delivering material to the ready-mix plant and therefore trucks traveling on the Klaasvoogds (East) road will decrease should the application be approved. Collection of the aggregate by a third party will not be the general rule but rather the exception. Greenmined further explained that the crusher transmits a constant “humming” type sound which, when taking in consideration that surrounding farming activities are in operation, will likely be absorbed and disguised. For this reason the applicant will not operate at night and on Sundays when the area is quiet as noise levels will be more prevalent. In this regard Mr Malherbe offered to take Mr Papesch to a neighbouring farm where crushing is taking place and demonstrate that at a distance of even 200m from the crusher you can barely hear it if at all.</i></p> <p data-bbox="174 1077 1496 1104">• Whether or not they will still be able to have a “say” in the operation of the site should the permit be granted.</p> <p data-bbox="174 1120 2060 1337"><i>In terms of Regulation 34 (as attached to the minutes) the site is obliged to have a complaints register. A person who feels aggrieved by certain conduct of the site is then afforded the opportunity to lodge a complaint in the complaints register alternatively can also provide suggestions as to how to deal with a specific aspect on site in a more efficient and effective way. All grievances and/or suggestions entered into the complaints register has to from part of the annual environmental performance assessment report to be submitted to the DMR. Should the ECO (Environmental Control Officer) or DMR feel the EMPR does not effectively control the activity the document can be amended.</i></p> 				

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<p>Conclusion: Greenmined asked that Mr Papesch provide any additional suggestions that could be considered for inclusion in the FEIR and EMPR by Thursday 21 July 2016. Ms Fouche reiterated that dust monitoring will be implemented and that some sort of clarity will be included to ensure any subsequent permit holder is obliged to adhere to the conditions approved in this process. With regard to noise what can be specified is that if there is a noise complaint, the applicant will appoint a specialist to conduct a noise impact study which will then determine whether noise levels are above the acceptable standard and subsequent mitigation measure has to be implemented.</p>				
<p>The minutes of the meeting was distributed to all the attendees on the 20th of July 2016. No additional comments or concerns were received from Mr. Papesch.</p>				
Surrounding Landowner M Marson	Fairview Farm	michaelm@barvallei.co.za	19 May 2016	No response received
Surrounding Landowner G Joubert	Klein Parys	joubert@kleinparys.co.za	19 May 2016	No response received
Executive Director Mr CV Schroeder	Cape Winelands District Municipality Community Development & Planning Services	023 348 2382	19 May 2016	No response received
Tracy Brunings	Langeberg Local Municipality	023 615 8001	17 may 2016	No response received

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Cllr RR Kortje	Langeberg Local Municipality Ward Councillor 4	071 262 9425	19 May 2016	No response received
Alana Duffell-Canham	CapeNature Scientist: Land-use	021 866 8029 082 727 2691	16 May 2016	20 May 2016
<p>CapeNature commented that their previous comments had been adequately addressed, and that they were pleased to note the inclusion of erosion prevention measures, rehabilitation measures as well as on-going measures for clearing of alien invasive plant species. CapeNature added that in addition to the requirements stipulated in the report, no cleared vegetation, alien species or other, should be dumped in areas containing indigenous vegetation. CapeNature stated that they do not object to Alternative 1 but would have objected to Alternative 2 had this been put forward as the preferred alternative.</p>				
Elkerine Rossouw Rafeeq le Roux	Breede Gourits Catchment Management Agency (BGCMA)	023 346 8000	17 May 2016	23 May 2016
<p>BGCMA submitted the following comments on the project: <i>(These comments were received after submission of the Draft EIAR for comments and could therefore not be included in the report. The comments were however added to the Final EIAR.)</i></p> <ol style="list-style-type: none"> 1. All relevant sections and regulations of the NWA, 1998 regarding water use must be adhered to. 2. No use of water and/or storage of water is permitted, unless the applicant has formally obtained a licence in terms of Section 41 of the NWA, 1998 and/or formal authorisation in terms of GA issued under Section 39 (GN 399, 2004) and/or if it is authorised under Schedule 1 of the NWA, 1998 and/or if it defined and declared as an existing lawful water use in terms of Section 32 & 33 of the NWA, 1998. 3. No pollution of surface water or ground water resources may occur due to any activity. 4. No storm water runoff form any premises containing waste, or water containing waste emanating from industrial activities and premises may be 				

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<p>discharged into a water resource. Polluted storm water must be contained.</p> <ol style="list-style-type: none"> 5. All relevant sections and regulations of the NEM:WA, 2008 regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorised solid waste facility in terms of abovementioned legislation. 6. No permanent structures maybe constructed within the 100 year flood line or within 100 m of any watercourse whichever is furthest. 7. The water provided for domestic use / human consumption must comply with the SANS 241:2001 guidelines for drinking water. Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it is a threat to human health, then this office and the Provincial Department of Health must be informed of the procedures to rectify the problem. 8. All requirement in the Regulations on use of water for mining and related activities aimed at the protection of water resources as contained in GN 704, 1999 published in terms of the NWA, 1998 must be adhered to at all times. 9. Please be advised that a wetland is defined as a watercourse in terms of the NWA, 1998. Please be advised that no Section 21 (c) and (i) water use may occur within a 500 m radius from the boundary of any wetland and within 100 m of any other watercourses without a Water Use Licence. 10. The groundwater flow gradient across the intended mining site must be determined. Seasonal water tables, both winter and summer, must be measured. If it is envisaged that water found underground will have to be removed and discharged or disposed of at any time during the mining period for continuation of mining activities the removal and disposal must comply with the GA as stipulated in Schedule 3 of GN 398, 2004. If the removal and discharge will not comply with the requirements of this GA the applicant must submit a formal licence application in terms of Section 21(j) of the NWA, 1998 to this office. 11. Should it be necessary to apply for an authorisation for any water use in terms of the NWA, 1998 please be informed that authorisation could only be issued once a positive EA has been obtained from the DEA&DP for all application subject to an EIA. 12. Mining particles must be prevented from entering the drainage furrows around the mining area, so that suspended solids will not enter any water resources. 13. The suspended solids concentration of water leaving the property may not generally exceed 25mg/l. If the receiving watercourse is a special standard resource then a limit of 10mg/l may not be exceeded. 14. Control measures must be implemented to prevent the pollution of any water resource, including groundwater, by oil grease fuel or chemicals. 15. All production material must be stockpiled outside the 1:100 year flood-line or more than a horizontal distance of 100 m from any watercourse. 				

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<p>16. If sewerage facilities for mine workers is necessary. A buffer are of a least 100 m or above the 1:100 year flood line from the edge of any watercourse whether permanent or non- permanent, must be applied when installing any type of sewerage disposal system.</p> <p>17. In the event that water from any water resource is needed in the mining processes, the applicant must apply for the necessary authorisation at this office.</p> <p>18. The water quality of the rivers draining where the mining is to take place may be negatively impacted on due to the mining operations.</p> <p>19. All undertakings in the proposed rehabilitation programme must be adhered to. Should there be for any reason, deviation from the rehabilitation programme, this office must be notified immediately.</p> <p>20. This intended use of any mine site/quarry as a storage dam for whatever use after the mining operations ceased, is illegal without first obtaining formal authorisation from this office for the storage of water in terms of Section 21(a) and (b) of the NWA, 1998.</p> <p>21. All conditions of the inter-departmental guidelines concerning environmental management and the rehabilitation of ground being disturbed by prospecting and small mine activities must be adhered to.</p> <p>22. Any person who contravenes or, subject to regulation 3, fails to comply with regulation 2, 4 – 13 of the GN 704 (Mining Regulations), is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding five years.</p> <p>23. These comments shall not be construed as exempting the applicant from compliance with the provision of the Minerals Act, 1991 or any other applicable act, ordinance, regulation or by-law.</p>				
<p>Greenmined responded on the 1st of June 2016 that although the initial correspondence indicated that the activity will take place on the fields of Portions 3, 19 and 20 of the farm Klaas Voogds Rivier 37 and Portion 3 of the farm Marthinus Vlei 34, the applicant in the end only applied for a mining permit (4.9 ha) on Portion 3 of the farm Klaas Voogds Rivier 37, Robertson. The comments submitted by the Gourits Breede Catchment Management Agency has been noted and will be incorporated as conditions into the Final Environmental Impact Assessment Report that will be submitted to DMR for approval.</p>				
<p>BGCMA submitted the following comments on the DEIAR & EMPR: <i>(The comments were dated 22 June 2016 but were only received by Greenmined on the 11th of July 2016)</i></p>				

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<p>1. The office note that its comments on the Draft Scoping Report dated 19/02/2016 has not been included, assessed or responded to in the Draft Environmental Impact Assessment Report (DEIR).</p> <p>2. Based on the available information contained in the Draft Environmental Impact Assessment Report this office would however like to update its comments as follows:</p> <ul style="list-style-type: none"> a. Based on the available information contained in the DEIR, the activities do not occur within the extent of a water course and are therefore not regarded as Water Use in terms of Section 211 & (i) of the National Water Act, 1998 (Act 36 of 1998). No water use authorisation is therefore required. b. This office notes that the contents of the Environmental Management Program and its approach to mitigate any potential impacts. c. This office has no further comments with regard to the proposed activities. 				
<p>Greenmined responded, as follows, to the comments submitted by the BGCMA:</p> <ul style="list-style-type: none"> 1. Greenmined apologize for not including the comments submitted on the Draft Scoping Report in the Draft EIAR. The said comments never reached us and were therefore not included in the Draft EIAR. 2. However the updated comments submitted on the Draft EIAR & EMPR as well as the comments dated 3 May 2016 have been included in the Final EIAR & EMPR to be submitted to DMR for decision making. 				
Louis Bruwer	Klaas Voogds Irrigation Board	023 626 2451	19 May 2016	No response received
Cor van der Walt Rudolph Roscher	Department of Agriculture	021 808 5099	19 May 2016	20 June 2016

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<p>Mr van der Walt submitted the following comments dated 31 May 2016 received by Greenmined on the 20th of June 2016:</p> <p>As the mandate of the Western Cape Department of Agriculture is to protect agricultural land the WCDOA objects to the preferred Alternative 1 as it is on previously cultivated land and also objects to the argument that it is disturbed by agricultural activities and therefor an option of choice. The comment submitted by the WCDOA was made to the relevant deciding authorities in terms of the Subdivision Agricultural Land Act 70 of 1970.</p>				
<p>Greenmined responded to the comments received from DoA by requesting that the matter be discussed as CapeNature submitted comments that the use of Site Alternative 2 is unacceptable to them as it will entail the removal of natural vegetation. CapeNature further supported the use of Site Alternative 1 as preferred alternative. During the initial public participation process the project was also discussed with Mr. Rudolph Roscher from the Department of Agriculture who did not object to the site being identified on an existing field. It was further stated that the end use for the area, upon rehabilitation of the site is agriculture. The land use of the 4.9ha area will therefore change temporarily upon which it will revert back to agriculture.</p> <p>A project overview and the objection to the use of cultivated land was telephonically discussed with Mr. Van Der Walt on the 19th of July 2016 and he confirmed having a better understanding of the proposed project afterwards. DoA submitted no additional comments.</p>				
Dr Robert Macdonald	Department of Social Development	021 483 5045 021 483 3083 021 483 3125	19 May 2016	No response received
Fezeka Ngalo	Department of Labour Western Cape Provincial Office	(021) 441 8000 (021) 441 8158 082 791 6244	19 May 2016	No response received
Maroeda Johnson	Department of Land Affairs	021 409 0300	19 May 2016	No response received

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Jody Horniet	Department of Environmental Affairs and Development Planning	021 483 4091	17 May 2016	No response received
Faisal Fakier Ms GD Swanepoel	Department of Transport and Public Works	021 483 4391 021 482 2826	17 May 2016	No response received
Mr Andrew Hall	Heritage Western Cape Heritage Resource Council	021 483 9598	16 May 2016	No response received

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