



NAME OF APPLICANT:	ARME (PTY) LTD
REFERENCE NUMBER:	WC30/5/1/2/2/10103MR 00074-MR/102

**ZANDHEUVEL PHOSPHATE MINING AND BENEFICIATION
PROJECT**

**COMMENTS AND RESPONSE REPORT IN SUPPORT OF A
SECTION 102 APPLICATION IN TERMS OF THE MINERAL AND
PETROLEUM RESOURCES DEVELOPMENT ACT (ACT 28 OF
2002)**

16 February 2023

Version 3

The purpose of this report is to convey all comments and concerns raised by registered Interested and Affected Parties (IAPs) to date and contains preliminary responses to the queries raised. The responses will be supplemented once the specialist studies and Environmental Impact Assessment (EIA) are completed.

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Public Participation Office

PO Box 13509 Phone: (012) 543 9093
Sinoville Email: arme@participation.co.za
0129

1 PROVINCIAL GOVERNMENT

1.1 Department of Mineral Resources and Energy

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Just to confirm, it is only one mining right?	Peter Mohasoa DMRE 14 Oct 2022	It is to consolidate the prospecting right and the mining right into one mining right.	Pre-Application Phase
Your perspective is correct; you should follow a full Scoping and EIA process. Because your initial Impact Assessment report was based on that you will be doing prospecting activities, now your development will be expanding into that prospecting right area. If I look at the revised layout plan you will be expanding some activities into the prospecting right area then that will definitely entail Scoping and EIA.	Peter Mohasoa DMRE 14 Oct 2022	The Department was thanked as ARME's impression was that the shortened Basic Assessment process would have put the project at risk.	Pre-Application Phase
We have no objection on the extent of the existing and planned specialist work, your recommendations are accepted. In terms of the Seismicity assessment, we agree that it is not necessary. In terms of the Climate Change assessment, we concur with the other authorities and your recommendation to only obtain a specialist opinion. We always explain that mining and power generation are seen by many as one, but it is not. Mining is at the primary phase, where the use of coal for burning and gasification is at the secondary phase, it is here where the greenhouse gasses and the concern of climate change comes in. We also believe that the EAP can provide the expert opinion and compliance statement based on your knowledge and expertise.	Peter Mohasoa DMRE 14 Oct 2022	The Department was thanked for the clarifications and indicated that a Climate Change specialist opinion will be obtained, and Compliance Statements done for the other requirements.	Pre-Application Phase
The Public Participation Plan as presented is acceptable.	Peter Mohasoa DMRE 14 Oct 2022	Noted with thanks.	Pre-Application Phase
Which other Authorities have you engaged as part of the Pre-Application Phase.	Peter Mohasoa DMRE 14 Oct 2022	DEADP, Cape Nature, DRPW, Dept of Agriculture, HWC, and DWS.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Satisfied to hear that Heritage Western Cape is involved. Many consultants make the mistake of engaging with SAHRA and not our provincial authority.	Peter Mohasoa DMRE 14 Oct 2022	Noted.	Pre-Application Phase
This letter serves to confirm that your application for the Amendment to consolidate your Mining area and Prospecting area as reflected on a Sketch Plan in terms of Reg. 2.2 submitted in respect of the above-mentioned properties in terms of Section 102 of the (MPRDA), has been received and is hereby acknowledged.	Regional Manager Western Cape Region Vusumuzi Mwelase Mining Regulation 15 Dec 2022	Noted.	Scoping Phase
You are directed to make known to the landowner, lawful occupier and any interested and affected party of the acceptance of Section 102 application. You are further directed to call upon interested and affected persons to submit their comments to the office of the Regional Manager within 30 days from being notified of the application. You are also directed to submit proof of such notice to any interested and affected person(s) to the office of the Regional Manager within 30 days after placement of such notice.	Regional Manager Western Cape Region Vusumuzi Mwelase Mining Regulation 15 Dec 2022	The Authorities, landowners and other interested and affected parties were notified of the acceptance of the S102 application on 6 January 2023, with a request to submit any comments to the Regional Manager within 30 days of the notification. A newspaper advertisement was also placed in the Weslander on 13 January 2023 (the first publication for the year) with the same request. The proof of notification was submitted to the DMRE on 13 February 2023. The Public Participation Report also includes detail and proof of such notices.	Scoping Phase
Acknowledgement of receipt of an application for an Integrated Environmental Authorisation lodged in terms of section 24 of National Environmental Management Act, 1998 (Act 107 of 1998) as amended and National Environmental Management: Waste Act, 2008 (Act 59 of 2008, NEMWA) as amended, read in conjunction with regulation 21 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended, for amendment of mining activities for phosphate, limestone, aggregate, sand, rutile, zircon, monazite, garnet, feldspar, calcite, apatite, titanium oxide, rare earth, ilmenite, sandstone, hematite/goethite, schorl and quartz, in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) (MPRDA) as amended, on the remainder of the farm Zandheuvell 126, Portion 61 of the farm Witteklip 120,	Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022	Noted.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>certain portion of remainder of portion 2 of the farm Yzervarkensrus 127, portion of remaining extent portion 2 or the farm Yzervarkensrug 127 and portion of portion 1 of the farm Phillips Kraal 124, Yzervarkensrug 127 and portion of portion 1 of the farm Phillips Kraal 124, situated in the Magisterial District of Malmesbury: Western Cape Region.</p> <p>I refer to the abovementioned matter and confirm that your application for an Integrated Environmental Authorisation, herein referred to as "IEA", lodged on 19 December 2022, is hereby acknowledged.</p>			
<p>In accordance with Regulation 21(1) "If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority". Therefore, the scoping report must be uploaded onto SAMRAD online system and submit one (1) hard copy to the regional office. The scoping report must be in accordance with Appendix 2 of the 2014 EIA Regulations.</p>	<p>Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022</p>	<p>Noted.</p>	<p>Scoping Phase</p>
<p>Public participation must be conducted in accordance with Chapter 6 of the NEMA: 2014 EIA Regulations as amended. Comments received from all the interested and affected parties (including state organs) must be presented in a tabular format that includes the EAP's response to all the issues raised.</p>	<p>Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022</p>	<p>The Public Participation Report and Appendices provide information on the process followed to date and are in accordance with the EIA Regulations.</p>	<p>Scoping Phase</p>
<p>In terms of Regulation 7(2) as amended "the competent authority or EAP must consult with every organ of state that administers a law relating to a matter affecting the environment relevant to that application for an environmental authorisation when such competent authority considers the application and unless agreement to the contrary has been reached the EAP will be responsible for such consultation". The EAP is therefore requested to consult the draft Scoping Report with every organ of state that administers a law relating to a matter affecting the</p>	<p>Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022</p>	<p>The draft Scoping Report was hand delivered, and an email with a download link was sent to the following Organs of State:</p> <ul style="list-style-type: none"> • Department of Environmental Affairs and Development Planning (DEADP) • Department of Agriculture, Land Reform and Rural Development (DALRRD) • Department of Roads, Transport and Public Works (DRTPW) • Department of Water and Sanitation (DWS) • Heritage Western Cape (HWC) 	<p>Scoping Phase</p>

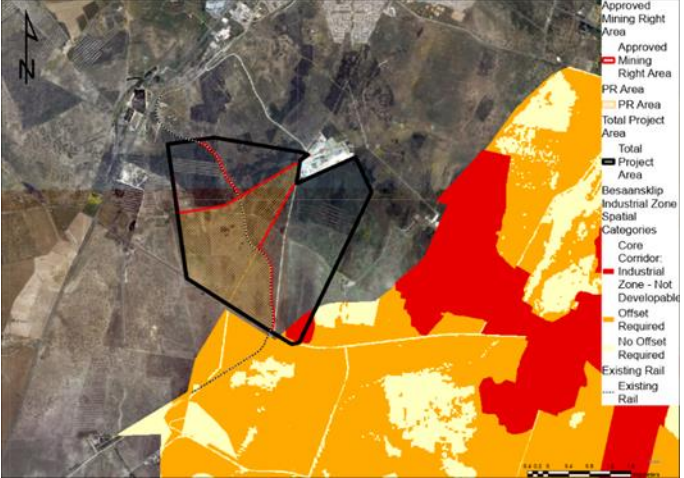
COMMENT	STAKEHOLDER	RESPONSE	Comment received during
environment as stipulated on Regulation 7(2) of 2014 EIA Regulations as amended and to notify the Department of such consultation with the organ of state.		<ul style="list-style-type: none"> • West Coast District Municipality (WCMD) • Saldanha Bay Local Municipality (SBM) <p>The comments received are included in this Comments and Response Report and the Public Participation Report.</p>	
It has been noted that the application area falls within Cape West Coast Biosphere Reserve. Proof of consultation with the reserve board must be included in the scoping report to be submitted.	Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022	A notification of the application and availability of the draft Scoping Report was sent to the Cape West Coast Biosphere Reserve on 6 January 2023. The Public Participation Report and Appendices contain proof of consultation.	Scoping Phase
Please note that acknowledgement of your application does not grant you permission to commence with mining activities. Commencement of listed activity without an environmental authorisation constitutes an offence in terms of Section 49A(1)(a) of NEMA, 1998 (Act 107 of 1998) as amended and upon conviction for such an offence, a person is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding ten years, or to both such fine and such imprisonment.	Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022	Noted.	Scoping Phase
NB: Regulation 45 of 2014 EIA Regulations as amended stipulates that “an application in terms of these Regulations lapses and a competent authority will deem the application as having lapsed if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations unless an extension has been granted in terms of Regulation 3(7).”	Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022	Noted.	Scoping Phase
Templates of the above-mentioned documents can be obtained on the Department of Mineral Resources website (www.dmr.gov.za) or from this Regional office on request.	Regional Manager Western Cape Region Peter Mohasoa Environment 21 Dec 2022	Noted.	Scoping Phase

1.2 Department of Environmental Affairs and Development Planning

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Given the left was approved and the right was revised layout (Slide on presentation), what is the comparison of Life of Mine and other activities?	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	The life of mine was extended by about 10 years with the additional mining areas that were identified. The approved open pits areas are approximately 110ha and extend to 179.4ha. The mine residue facility is 76ha and extends to 116.5ha. As indicated, the processing plant, mine infrastructure and topsoil dumps are more or less the same. The water management infrastructure is being updated, taking the revised layout into consideration.	Pre-Application Phase
What is the height above sea level?	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	There is no mining below the sea level or water table.	Pre-Application Phase
What will the end land use be after rehabilitation?	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	The plan is to restore the vegetation for possible agriculture / grazing use, therefore, to existing land use. Currently the properties are not actively used, and the agricultural potential is low due to the soils. Various long-term use options can be considered. Options such as agricultural projects, like tunnel farming for the communities in the area can be considered. Or projects such as solar. These options will be investigated as part of the rehabilitation plan.	Pre-Application Phase
You said you are going to rehabilitate as you mine. Is that why your topsoil areas are small?	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	There will be backfill as mining progresses, and as areas become available. When they are up to final levels, topsoil will be placed back, and revegetation will be done. The topsoil stockpiles are small because there is not a lot of topsoil in the area.	Pre-Application Phase
Will you conclude the section 102 and then do the WUL?	Eldon van Boom Department of Environmental Affairs and	The applications will be run in parallel. A joint Public Participation Process will be followed for all the legal requirements.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
	Development Planning 12 Oct 2022		
DMRE is the competent authority and must make a final decision. I will however comment, and my colleagues can also respond, that climate change assessment has been a standard request due to court cases mostly focused on coal mining.	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	Noted.	Pre-Application Phase
There is a difference between doing a specialist impact assessment versus getting specialist input in the form of a statement. I would recommend that the EAP obtain specialist input which would then guide you on whether a specialist impact assessment would be needed. Once the specialist input has been obtained you can also approach our climate change directorate for any further relevant information that can be useful to include in your reports. The person to contact is Gerard van Beul. The outcome will depend on your motivation and information provided to us.	Ieptieshaan Bekko Department of Environmental Affairs and Development Planning 12 Oct 2022	Noted with thanks.	Pre-Application Phase
Please ensure that relevant groups representing First Nations are included in your process. Recent applications are being scrutinized and objected to based on the involvement or lack thereof of groups representing First Nations. You can start with determining if there are any land claims on the properties. Have you engaged any First Nation groups? The EAP and ARME should ensure proper record is kept of all engagements, and to indicate where engagements are done over and above the legal requirements.	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	ARME has actively engaged the Cochoqua Khoisan Tribal Council. Adelaide Ruiters meets with them and keeps them updated of the project progress. They have a good relationship. The Cochoqua Khoisan Tribal Council was a registered Interested and Affected Party on the original Mining Right and Prospecting Right applications and will remain on the register and form part of the process.	Pre-Application Phase
Regarding the First Nations, perhaps engage with HWC to ascertain whether all the known First Nations groups have been consulted.	Tarryn Dreyer Department of Environmental Affairs and Development Planning 12 Oct 2022	Requested HWC to provide their list to ensure no organisation is overlooked.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
In my experience from mining, rehabilitation is rarely so efficient that biodiversity is restored.	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	Noted the concern.	Pre-Application Phase
The backfill area indicated to the north of the open pit, is that something that could be elective and that can be moved further south to minimise the impact on the sensitive areas in the north?	John Wilson Department of Environmental Affairs and Development Planning 12 Oct 2022	The backfill area is part of the initial mining area when there are no additional areas available. If it is a major issue, there is potential to move it to the western mine residue facility. The possibility will be discussed with the mine design team.	Pre-Application Phase
<p>In an email sent on 10 Oct 2022 Adri provided the meeting with information where clarity was sought from DFFE on a Section 102 application. DFFE's response read as follow: <i>In the scenario outlined below, if a (new) mining right is not required for the incorporation of the prospecting right area into the mining right area, Activity 17 will not be triggered. From the information provided, an amendment to a right/permit is required in terms of section 102 of the MPRDA. Activity 21D will be triggered and a basic assessment process needs to be undertaken.</i> Adri indicated that it is imperative that the competent authority (DMRE) advises the applicant on the correct process to be followed.</p> <p>ARME can also submit a query to DFFE IQ helpdesk in terms of the process (BA or S&EIR) to be followed if no clarity is provided by DMRE.</p>	Adri la Meyer Department of Environmental Affairs and Development Planning 12 Oct 2022	<p>With the 2021 amendment to the EIA regulations, a section 102 application was included as a listed activity which requires a Basic Assessment process. Our interpretation is that the section 102 is a new listed activity requiring a Basic Assessment, but due to the extent of the additional mining and residue areas, new listed activities will be triggered that requires a Scoping and Environmental Impact Reporting (S&EIR) process. A meeting has been scheduled with DMRE for Friday 14 October 2022 where this interpretation will be confirmed. The meeting will be informed of the outcome.</p> <p>It would be consider based on the outcome of the meeting with DMRE.</p>	Pre-Application Phase
Via online chat commented that in order to do an offset, the alternative site layouts to avoid biodiversity impact will first need to be explored fully. Post meeting response is that alternative site layouts will only be applicable to the revised "new" layout as the previous layout has already been approved.	Frances Balayer Department of Environmental Affairs and Development Planning 12 Oct 2022	Noted.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>Please note that the Saldanha Strategic Offset Strategy (SSOS) includes the climate adaptation corridor. The site also clips part of the Besaansklip Industrial Zone, the southern portion that ARME has already committed to safeguard, the south-eastern patch (blue circle on map). The north-eastern section encroaches on the western corridor that connects the core corridor with the West Coast National Park. So, the climate change process is something that's also important to consider from a biodiversity perspective. And I don't know to what extent that can be rehabilitated, I think the approach of seeing the rehabilitation as additional to the hectare offset is probably a good one.</p> 	<p>John Wilson Department of Environmental Affairs and Development Planning 12 Oct 2022</p>	<p>Noted.</p>	<p>Pre-Application Phase</p>
<p>Did you confirm that it is a CBA1? The math has been done, and that's why I am asking the question whether the CBAs was confirmed on site?</p>	<p>Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022</p>	<p>The fieldwork was done, and my team confirmed areas that are of medium, high and very high sensitivity. They have confirmed that the CBAs are in fact intact areas that justify the status as a CBA. The CBA areas were indicated on a plan.</p> <p>The area indicated on the plan forms part of the approved Mining Right and IEA area. My proposal is that we accept it as offsetable and move on to the proposals by Nick Helme and the Offset Planning.</p>	<p>Pre-Application Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>I just want to concur with what Ismat said, it is a guideline. As Ismat has outlined, in this instance the focus of the CBA can be achieved through an offset. And the two things that will help a competent authority and a commenting authority in this space is justification as to why this is a different case. It's the motivation that Adelaide's mentioned about the importance of this project, but it's also the offset that's put forward, the impact that the offset will have on the landscape and the processes that we've identified as being imported in this space. I think I just wanted to agree with Ismat.</p>	<p>John Wilson Department of Environmental Affairs and Development Planning 12 Oct 2022</p>	<p>Noted.</p>	<p>Pre-Application Phase</p>
<p>Can we confirm the quantum of the offset requirements. In terms of your entire footprint (non-rehabilitation areas such as the open pit and mine residue areas) how many hectares will be disturbed? Of those hectares what hectares need to be offset? It seems that certain areas would be at a ratio of 1:30 and other areas would be at a lower ratio.</p>	<p>Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022</p>	<p>The total disturbed area is approximately 440 hectares. 88 hectares intersect CBA and if ESA is included it is 112 hectares. These are preliminary calculations at worst case scenario. The different CBA and ESA would be offset at various ratios in terms of the guideline.</p> <p>Development areas to the south of the project area is not CBA areas and would be subject to rehabilitation and not offset.</p>	<p>Pre-Application Phase</p>
<p>From my perspective it's where it intersects with the CBA and ESA area on the western and eastern corridor including the portion to the south. You have 2 policy guiding elements: 1) The Draft National Biodiversity Offset Guideline, which should become applicable within the lifetime of this project; and 2) the Saldanha Strategic Offset Strategy (SSOS). Both of those documents will guide you in terms of how to quantify the biodiversity offset required. So, the SSOS has done a lot of work around where biodiversity offsets are required. So, in a conventional application for environment authorisation where you have to now determine whether or not your biodiversity impact is high and how to offset that, that has largely been done by the Saldanha Strategic Offset Strategy by outlining the CBAs and ESAs. If you look at that strategy, it'll tell you quite clearly where you need to be doing offsetting. And then it also outlines the ratio that is applicable for each vegetation type and functions. It outlines the offset ratios that are recommended, both of these documents are to be taken under advisement. Section 24(3) must be considered, but you can deviate from it if there are</p>	<p>John Wilson Department of Environmental Affairs and Development Planning 12 Oct 2022</p>	<p>Noted.</p>	<p>Pre-Application Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
substantial grounds and motivation. And both are in terms of section 24J of NEMA.			
I might have missed something, but I thought most of the mining area falls outside the assessed areas of the SSOS?	Frances Balayer Department of Environmental Affairs and Development Planning 12 Oct 2022	The SSOS assessed the entire area. There is a distinction between the Besaansklip Industrial Area and the offset receiving areas. It is part of the assessed area. The Greater Saldanha area is part of the SSOS and the bench types that we included in that. The study does give quite clear guidance in terms of what's required. Its benefit is that it will answer all the questions being asked here, as it has identified the core corridor.	Pre-Application Phase
I just wanted to double check because like I noted, my impression was that the mining area falls outside of the Besaansklip Industrial Zone that was demarcated in the SSOS and that the impacts will be felt on the corridors that were identified as receiving areas outside of the Besaansklip Industrial Zone. I was under the impression that the area that this mine will impact on has not yet been assessed in terms of whether an offset is required or not, because only the areas inside the Besaansklip Industrial Zone, as demarcated in the SSOS, that assessment has already been done. Has an assessment been done, and will it form part of this Biodiversity Offset Study.	Frances Balayer Department of Environmental Affairs and Development Planning 12 Oct 2022	In terms of the approved Mining Right and IEA, it has already been assessed and it has been indicated that an offset is required. It is a condition in the current approved IEA.	Pre-Application Phase
We propose you follow both processes in terms of the MPRDA and NEMPA to get optimal protection.	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	Agreed, the purpose would be to protect the offset areas otherwise all the trouble would be for nothing. It should also include the Land Use Management process with the Local Municipality.	Pre-Application Phase
In terms of our process what is the amount (quantum) of the offsetable area?	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	If a 1:30 ratio is adopted on the CBA areas, we need to look for approximately 2,400 hectares (a quick calculation that will need to be confirmed). We currently have as part of the options 180 ha plus the Arcelor Mittal area is an additional 2,300 hectares. This however involve third parties such as Arcelor Mittal.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		ARME has been in discussion with Arcelor Mittal for the past 3 years and the commercial model for the offset has been discussed.	
The offset ratio will depend on the veg type affected.	Frances Balayer Department of Environmental Affairs and Development Planning 12 Oct 2022	Assume ecosystems with higher conservation status (e.g. CE and EN) will have a higher offset ratio.	Pre-Application Phase
These are the questions we will ask ourselves when we review the documentation, it all depends on what is presented to us. The management of and the offset needs to be secured before you start operations. That will be one of the requirements we will always have. And actually we want it to be secured even before we provide a signed decision. But in this case, we are not the competent authority, but it'll be one of the recommendations we will be making to DMRE. They can only sign off on the decision once agreements are in place. Seeing that you have already started discussions with Arcelor Mittal, you need to get to such a stage that when submissions are made that agreements are in place, because that's what we want to see.	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	Noted.	Pre-Application Phase
Will you be rezoning the offset areas, as this is also a long process? We would like the protection of the offset areas in place before you start operations.	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	Noted.	Pre-Application Phase
Did you look at alternative offsets?	Eldon van Boom Department of Environmental Affairs and Development Planning 12 Oct 2022	An offer has been accepted by the West Coast Trust to purchase their property to the north-west of the project area. It forms part of the offset areas but does not meet the total quantum.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
I can't find the previous authorisations and waste management exemptions. The report mentioned that the residue (waste) was classified as type 3 waste and exemption was granted to consider it as a type 4 waste. Is it in the folder you shared?	Waleed Galvaan Environmental Officer: Specialised Production 3 Feb 2023	As requested, please find attached (mail with attachment sent 7 Feb 2023) the Integrated Environmental Authorisation (IEA). The exemption is in terms of condition 1.1 of the IEA which states that "Adelaide Ruiters & Exploration (Pty) Ltd shall construct the Mine Residue Deposits (MRD), Mine Waste Rock Dumps, and associated Pollution Control Dams (PCDs) at its proposed Zandheuvvel Phosphate Mine, in terms of the designs and Construction Quality Assurance (CQA) plan as submitted to and approved by the Responsible Authority in terms of Government Notice R632 in the Government Gazette 39020 of 24 July 2015 or its successor in title". Section 7.9.3 of the Civil Design Report compiled by Nurizon allows for the Mine Residue Facilities to have a Class D barrier design for Type 4 waste material.	Scoping Phase
May I have access to the Civil Design Report?	Waleed Galvaan Environmental Officer: Specialised Production 7 Feb 2023	Please find attached (Report sent 7 Feb 2023) the approved Design Report for Waste Management. Please note that waste management is also being reviewed as part of the Section 102 IEA amendment application process. As more information becomes available, this will be shared with your Department for input and comments.	Scoping Phase
The email invitation to a pre-application authorities meeting received on 21 September 2022, the pre-application authorities meeting held on 12 October 2022, the presentation and attendance register of the pre-application meeting received via email on 14 October 2022, the minutes of the meeting received via email on 04 November 2022, the hard copy of the Draft Scoping Report ("DSR") that was received by the Department on 03 January 2023, and the email notification of 06 January 2023 regarding the availability of the DSR for comments, refer.	Thea Jordan Directorate: Development Facilitation ObO. Head of Department 7 Feb 2023	Noted.	Scoping Phase
Please find consolidated comment from various directorates within the Department on the DSR and Plan of Study for Environmental Impact Assessment ("EIA") dated 10 December 2022 that was hand delivered to the Department and available for download from an online link provided by the environmental assessment practitioner.	Thea Jordan Directorate: Development Facilitation ObO. Head of Department 7 Feb 2023	Noted.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>Please ensure that the forthcoming Draft EIA Report include an environmental sensitivity map overlain on the proposed mining infrastructure components. Per regulation 3(1)(l)(ii) of Appendix 3 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) EIA Regulations, 2014 (as amended), an EIA Report must contain a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred development footprint on the approved site as contemplated in the accepted scoping report indicating any areas that should be avoided, including buffers. The mapped Critical Biodiversity Areas (“CBAs”), Ecological Support Areas, other environmental sensitivities, and buffers must be overlain on the relevant locality map, mine layout plans, and pit optimisation and pit design.</p>	<p>Ms Adri La Meyer Directorate: Development Facilitation 7 Feb 2023</p>	<p>Noted. A regional environmental and social sensitivity map was included in the DSR – refer to Figure 76. This will be revised in line with the additional information obtained from the specialist studies currently underway, and a site-specific map indicating the site sensitivities will be included in the EIAR.</p>	<p>Scoping Phase</p>
<p>Please provide clarity on the paragraph in section 5.1.5.1 of the DSR which states that: “Potable and fire water will be supplied to the MIA and PPIA via the existing SBM potable water reservoir and will be stored in a 15 m³ potable water tank. Based on the elevation of the existing reservoir (180 m.a.s.l.), the water supply will be gravity fed. A volume of approximately 233.5 kl/day is required. The water from this reservoir will be reticulated to the MIA and PPIA via a 110 mm diameter HDPE pipeline.” What is the purpose of the 15m³ potable water tank as it appears that potable water will be gravity fed from the municipal water reservoir directly to the mine infrastructure area and processing plant infrastructure area?</p>	<p>Ms Adri La Meyer Directorate: Development Facilitation 7 Feb 2023</p>	<p>The on-site storage requirements were revised following the finalisation of the BFS, and the FSR was updated accordingly. The potable and fire water will be supplied to the MIA and PPIA via the existing SBM potable water reservoir and stored in two separate storage tanks. The fire water will be stored in a 318 m³ ground-level storage tank with a float switch for control and will strictly be used for fire water storage. The potable water will be stored in a 10m high, 80 m³ elevated storage tank, allowing pressure control in the potable water system.</p> <p>Surplus storage on site is required in case of malfunction at the SBM reservoir to allow for sufficient contingency potable and fire water.</p>	<p>Scoping Phase</p>
<p>It is noted that process water for the processing plant will be obtained from the Saldanha wastewater treatment works (“WWTW”). Please confirm the water source/s for dust suppression as it is noted that “Water required per month for dust suppression amounts to approximately 6 MI or 200 m³/day.” The DSR notes that the proposed on-site WWTW will have a capacity of 85kl, and the treated effluent will be discharged in the pollution control dam for re-use (process</p>	<p>Ms Adri La Meyer Directorate: Development Facilitation 7 Feb 2023</p>	<p>The treated effluent from the on-site WWTW will be discharged in the PCD for re-use (process water or dust suppression). In addition, dirty stormwater from the plant and residue facilities will be collected and disposed of in the PCD and recycled for use in the plant and for dust suppression.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
water or dust suppression). Can it thus be assumed that the on-site WWTW will supply treated effluent for dust suppression purposes?		<p>The water will be monitored regularly to ensure compliance with the standards to prevent any health impacts on the people in close contact with the water.</p> <p>A detailed water balance is being compiled and will be included in the draft EIAR for further consideration.</p>	
Please note that section 1.2 of the Biodiversity Scoping Report compiled by Scientific Terrestrial Services dated October 2022 refers to “GN number 1476: The Red List of Ecosystems (RLE) for terrestrial realm for South Africa dated 5 November 2021, as it relates to the NEMBA (draft)”. It is acknowledged that the specialist assessment was compiled prior to the gazetting of the Revised National List of Ecosystems that are Threatened and in Need of Protection (“the Red List of Ecosystems”) in Government Notice (“GN”) No. 2747 of 18 November 2022. The Red List of Ecosystems must be referred to in future documentation.	Ms Adri La Meyer Directorate: Development Facilitation 7 Feb 2023	Noted. The final Scoping Report will be updated to reflect the correct Red List of Ecosystems. The baseline biodiversity report will also be updated to reflect the correct legislative requirements accordingly.	Scoping Phase
Please amend Table 2 of the DSR as both columns 2 and 3 refer to “Approved IEA”. It is assumed that column 3 refers to the proposed project (this application).	Ms Adri La Meyer Directorate: Development Facilitation 7 Feb 2023	Noted with thanks. The final Scoping Report will be updated accordingly.	Scoping Phase
Please provide different acronyms for “processing plant infrastructure area” and “Paleontological Impact Assessment” as both terminologies are abbreviated as “PIA”.	Ms Adri La Meyer Directorate: Development Facilitation 7 Feb 2023	Noted. This will be corrected in the final Scoping Report. The processing plant infrastructure area will now be abbreviated as PPIA.	Scoping Phase
<p>In general, the suggested exploration of a biodiversity offset to address residual biodiversity impacts once the extent of the residual impacts is known, is supported. It is recommended that the process and outputs associated with such an evaluation should align as far as possible with the Draft National Biodiversity Offset Guidelines (published in Government Gazette No. 46088 on 25 March 2022). In particular:</p> <ul style="list-style-type: none"> ▪ It is imperative that the applicant clearly displays that the mitigation hierarchy has been applied responsibly prior to investigating biodiversity offsets. 	John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023	Noted. The project has gone through a round of biodiversity impact mitigation following the mitigation hierarchy as advocated in the Draft National Biodiversity Offset Guidelines (published in Government Gazette No. 46088 on 25 March 2022). This has already led to a reduction in footprint, notably in the high biodiversity areas. This footprint was specifically avoided to minimise the impact of areas of the highest biodiversity value on site. Scientific Terrestrial Services (STS) is currently in the process of finalising the draft biodiversity offset feasibility report, which will be widely consulted with the relevant stakeholders, including your Department, Cape	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<ul style="list-style-type: none"> ▪ A robust approach to investigating biodiversity offsets must be adopted that minimises the burden of post-authorisation processes to secure such offsets. ▪ Proper participation must be afforded to the biodiversity offsetting evaluation and the resulting documents. 		<p>Nature and the Cape West Coast Biosphere Reserve, as applicable. As far as possible, the Draft National Biodiversity Offset Guidelines (published in Government Gazette No. 46088 on 25 March 2022) have been adhered to, bearing in mind the need to ensure the offset is robust and can be practically and successfully implemented.</p>	
<p>It is further advised that the applicant should engage with CapeNature regarding the applicable offset ratios that should be applied when offsetting the biodiversity impact anticipated to arise from this proposal.</p>	<p>John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023</p>	<p>A meeting will be scheduled with Cape Nature in due course to discuss the proposed biodiversity offset ratios. All relevant stakeholders will be invited to this meeting. The meeting proceedings will be summarised in meeting minutes and included in the offset plan reporting.</p>	<p>Scoping Phase</p>
<p>Regarding section 5.1.1 of the DSR, it is noted that the revised mine layout (particularly the open pits, eastern residue facility and easter stormwater dam) will likely impact areas identified as CBA 1 as indicated in the Western Cape Biodiversity Spatial Plan, 2017. The applicant is advised to avoid impacting on these areas through the exploration of design/layout alternatives.</p>	<p>John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023</p>	<p>The project has gone through a round of biodiversity impact mitigation following the mitigation hierarchy as advocated in the Draft National Biodiversity Offset Guidelines (published in Government Gazette No. 46088 on 25 March 2022). This has already led to a reduction in footprint, notably in the high biodiversity areas. This footprint was specifically placed to avoid and minimise the impact of areas of the highest biodiversity value on site. The Bankable Feasibility Study, approved by the IDC, has been completed on the existing footprint. A further reduction in the mine footprint will render the project not economically viable.</p> <p>The biodiversity offset strategy is being developed to address your concerns. It will be presented and consulted with your Department before the commencement of the EIA Phase. The SSOS, particularly the climate adaptation corridors, are being used as a primary guiding principle in developing the offset initiative.</p> <p>The Applicant notes that not allowing the project to continue is not a guarantee that there will not be other mining applicants in future who may apply to exploit this deposit, or another threat being illegal land invasions that can render the entire area to lose its biodiversity altogether. The Applicant notes that the end product to be produced is a uniquely beneficiated type of phosphate product, of which the end product usage</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		<p>will have a more positive affect on sustainability, healthier and environmentally friendlier fertilizer practices not just for the Western Cape, South Africa, but for the entire Southern African Region. By denying the applicant this chance to develop the mine, notwithstanding the economic benefits, the Southern African Community is denied an opportunity to eat locally produced healthier foods/crops fertilized with a healthier, environmentally friendlier and more sustainable, reduced carbon footprint phosphate fertilizer, and at the same time, the area is at risk for illegal land invasions. The Applicant has spent much time and resources and conducted many tests and two pilot plant trials to ensure that the product produced is a sustainable, environmentally friendlier and healthier reduced carbon footprint phosphate product, with the hope that the Authorities will also view this type of product as a type of offset in terms of environmental losses that will occur as a result of the mine and plant. While this mine will result in biodiversity losses, the Authorities must also consider what this proposed mine will give back to the Southern African Society in terms of the uniqueness of the product to be produced compared to the normal phosphates produced in our country and also being imported into our country and the region.</p>	
<p>It is advised that maps showing information on threatened vegetation and the Western Cape Biodiversity Spatial Plan (particularly Figure 30) be displayed at an appropriate scale that allows the reader to clearly see the area being impacted on. The scale of Figure 30 should be like that of Figures 28 and 29.</p>	<p>John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023</p>	<p>Noted. The figures will be updated accordingly in the final Scoping Report.</p>	<p>Scoping Phase</p>
<p>Various cross-references to appendices appear to be incorrect, e.g., page 46 references Appendix A6 as being the Comments and Responses Report (“C&RR”). It should be clearly indicated that the C&RR is in Appendix A6 of Appendix 1 (Public Participation Report and Plan). The appendices themselves also contain incorrect or confusing cross-references. The applicant is requested to ensure that the Final Scoping Report (“FSR”) addresses erroneous or confusing cross-references.</p>	<p>John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023</p>	<p>Noted. The EAP will address the confusing cross-references accordingly.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>On page 54 of the DSR it is noted that “The National List of Threatened Terrestrial Ecosystems published in terms of the NEMBA in 2011 remains in legal force. The 2021 Red List of Ecosystems was published in the Government Gazette on 5 November 2021 for public comments (Gazette Notice No. 1476) and is not yet in force”. Note that this statement is incorrect, as the 2022 Red List of Ecosystems was gazetted for implementation in GN No. 2747 on 18 November 2022. The applicant is advised to make use of the revised list as gazetted and correct the classifications accordingly throughout the FSR and forthcoming Draft EIA Report.</p>	<p>John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023</p>	<p>It is noted that the baseline biodiversity report on which the DSR is based was completed before the promulgation of the final Red List of Ecosystems. The final Scoping Report and baseline biodiversity report were updated to reflect the correct Red List of Ecosystems.</p>	<p>Scoping Phase</p>
<p>It is noted on page 62 of the DSR that the site assessment also identified Saldanha Limestone Strandveld on the site. It should be noted that this vegetation type is listed as Critically Endangered as per the Revised National List of Ecosystems that are Threatened and in Need of Protection.</p>	<p>John Wilson Directorate: Biodiversity and Coastal Management 7 Feb 2023</p>	<p>The EAP has taken note of the new classification of the Saldanha Limestone Strandveld vegetation type and will update the FSR accordingly.</p>	<p>Scoping Phase</p>
<p>It is noted that the applicant intends to consolidate the prospecting right and mining right areas to optimise the mine layout and ensure optimal utilisation of the mineral resources. The revised mine layout will see the eastern open pits combined into one large pit, increasing the resource footprint, which will also necessitate additional mine residue facilities (“MRFs”). This increase in the resource footprint and additional MRFs may impact local groundwater levels, quality and pollution plume movements. Based on this, this Directorate supports the review of the impact modelling for the new mine layout, under the Geohydrological Impact Assessment, as listed in the Plan of Study for the EIA process (section 12, page 130).</p>	<p>Gunther Frantz Directorate: Pollution and Chemicals Management 7 Feb 2023</p>	<p>Noted. The geohydrological impact assessment is being revised to account for the proposed revised layout. It will be made available for comment during the EIA Phase.</p>	<p>Scoping Phase</p>
<p>This Directorate also supports the review of the Stormwater Management Plan, as listed in the Plan of Study for EIA, to account for the impact on dirty water channels, the pollution control dam and stormwater dams, brought about by the revised mine layout.</p>	<p>Gunther Frantz Directorate: Pollution and Chemicals Management 7 Feb 2023</p>	<p>Noted. The revised SWMP and water-balance will be available for comment during the EIA Phase.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>Since disposal activities will be undertaken for the mine residue waste, the National Norms and Standards for the Disposal of Waste to Landfill, published in GN No. R. 636 of 23 August 2013, must be complied with. This also means that the Department of Water and Sanitation must review the waste disposal plans, because the disposed waste could release or leach pollutants into the environment.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>Noted. The necessary consultation will be undertaken with the DWS as part of the IWUL application in line with the regulatory requirements.</p>	<p>Scoping Phase</p>
<p>Additionally, please also ensure that the waste disposal activities comply with The Regulations Regarding the Planning and Management of Residue Stockpiles and Residue Deposits from a Prospecting, Mining, Exploration or Production Operation, published in GN No. R. 632 of 24 July 2015 (as amended), the Waste Classification and Management Regulations, published in GN No. R. 634 on 23 August 2013, and the National Norms and Standards for the Assessment of Waste for Landfill Disposal, published in GN No. R. 635 on 23 August 2013.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>Noted. The waste classification is contained in the hydrogeological specialist reports and hydrological waste and risk assessment (Exigo, 2021) conducted during the MR application in 2021. These reports are currently being updated based on the proposed revised mine layout. They will be available for comment during the EIA Phase.</p>	<p>Scoping Phase</p>
<p>The Plan of Study for EIA provided in section 12 must be updated to reflect that an engineering report for the mine and related activities will be provided by suitable engineering specialists. This engineering report must demonstrate how the Regulations and Norms and Standards identified in paragraph above will be complied with.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>The engineering designs form part of the SWMP and will include a demonstration of compliance with the Regulations, Norms and Standards as indicated. The revised SWMP and associated design report in support of the Waste Management Licence application will be made available for comments during the EIA Phase.</p>	<p>Scoping Phase</p>
<p>Section 5.1.6.2.1 of the DSR indicates that treated effluent from the proposed WWTW, which is a package plant, will be discharged into the pollution control dam and then be used as dust suppression at the mine. The DSR also indicates that at least 2000 cubic meters of grey water from the Saldanha Bay Municipal WWTW will be used for daily processing and dust suppression at the site. Please specify: How the sewage sludge from the process will be managed. Whether the Total Concentration Analysis and Leachable Concentration Analysis included the treated effluent and grey water.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>The WWTW is positioned south of the Mine Infrastructure Area (MIA) and will be a package plant type solution (Scarab STS100 or similar approved). The sewer reticulation from the MIA will flow into a pre-digestion chamber/septic tank, where organic solids are digested into soluble organic compounds. The effluent is then passed on to the WWTW (Scarab system) by way of a submersible pump. The Scarab design is a biological system that requires bacteria (biomass) to perform the cleaning process. The WWTW will have a capacity of 85kL, and the wastewater will be treated to General Limits as per the National Water Act (Act No. 36 of 1998). The SBM indicated that the proposed sewer treatment package plant will be acceptable (meeting with SBM Water Department on 2020/02/26).</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		It is noted that the treated effluent cannot be subjected to leach tests as it is only in liquid form.	
Section 10.5.6.3 of the DSR indicates that the waste is classified as Type 3 waste, but that it is essentially Type 4 waste when considering the leachable concentration only. This would mean that the MRF requires a Class D liner. However, the applicant must clarify whether the leachable concentrations include the concentrations from the use of sewage effluent and grey water as dust suppression. This is important as the cumulative environmental impacts must be considered in application. One must also consider that the chemistry of the waste changes from time to time. It therefore seems more appropriate to have a Class C liner for the Type 3 waste that it is, and the precautionary approach is recommended for such disposal activities.	Waleed Galvaan Directorate: Waste Management 7 Feb 2023	The WWTP water quality was included in the integrated mine water balance and chemical load model done as part of the MR application in 2021 (Exigo 2021 Mine water & salt balance model). The report concluded that the leachate and WWTP's water quality is at least 5 times better than the baseline groundwater quality and would dilute and improve on the baseline groundwater quality with no risk of contamination. The above will be confirmed during the revision of the chemical load model for the proposed revised mine layout, which will be made available for comment during the EIA Phase.	Scoping Phase
In addition to the above, please provide this Directorate with the exemption approval with regards to the type of waste classification.	Waleed Galvaan Directorate: Waste Management 7 Feb 2023	Annexure 1 of the Integrated Environmental Authorisation granted to ARME on 8 April 2022 included the Record of Decision from DWS regarding the Waste Management Licence. The exemption is in terms of condition 1.1 of the IEA which states that "Adelaide Ruiters & Exploration (Pty) Ltd shall construct the Mine Residue Deposits (MRD), Mine Waste Rock Dumps, and associated Pollution Control Dams (PCDs) at its proposed Zandheuvel Phosphate Mine, in terms of the designs and Construction Quality Assurance (CQA) plan as submitted to and approved by the Responsible Authority in terms of Government Notice R632 in the Government Gazette 39020 of 24 July 2015 or its successor in title". Section 7.9.3 of the Civil Design Report and the drawings and Construction Quality Control/Assurance (QCQA) included in Appendix A and C, respectively compiled by Nurizon Consulting Engineers, allows for the Mine Residue Facilities to have a Class D containment barrier design, which is in line with the exemption which was requested from Regulation 3 of GN 704 for the mine residue material to be managed as a Type 4 waste.	Scoping Phase
Kindly provide the more information about the pollution control dam, especially about the planned construction of it. Additionally, it is important to specify how frequently the	Waleed Galvaan	The PCD will be lined with a leak detection system which will prevent any seepage to the groundwater resources. The geomembrane will be a 1.5mm HDPE liner. The PCDs would	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>effluent will be tested prior to discharge into the pollution control dam. The chemical characteristics of wastewater may change periodically.</p>	<p>Directorate: Waste Management 7 Feb 2023</p>	<p>be operated on the basis that it will be empty, except during major flood events. The PCDs would therefore be emptied and kept empty during normal conditions. Any water collected in the PCDs can be used for dust suppression purposes (or similar approved activities). The water will be monitored regularly to ensure compliance with the standards to prevent any environmental and health impacts on the people in close contact with the water.</p> <p>The design aspects of the PCDs are addressed in the revised SWMP, which will be made available for comment during the EIA Phase.</p>	
<p>The Plan of Study for EIA indicates that a Visual Impact Assessment will be undertaken during the environmental impact reporting phase, which is supported by this Directorate.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>Noted.</p>	<p>Scoping Phase</p>
<p>The Stormwater Management Plan to be included in the Draft EIA Report is supported by this Directorate.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>Noted.</p>	<p>Scoping Phase</p>
<p>The Plan of Study for EIA indicates that further studies on the impact of soil will not be undertaken. Continuous discharging of effluent wastewater will alter the soil characteristics, especially if a Class D liner is used. Clarity about this is required, since the applicant intends to install a Class D liner for the MRF where treated effluent and grey water will be used for dust suppression, during the disposal of tailings and waste/overburden.</p>	<p>Waleed Galvaan Directorate: Waste Management 7 Feb 2023</p>	<p>CES Environmental and Social Advisory Services conducted a soil assessment in March 2020. CES concluded that soils throughout the site appear to be uniform. Although the focus of the soil assessment was on the MR area and associated infrastructural developments, it can be reasonably assumed that the soils in the PR area will not be dramatically different from that in the MR area. This is confirmed by the desk-top mapping that indicates the S102 and surrounding area to be of the same generalized soils and land capability (CES, 2020). The impact assessment and mitigation measures proposed are deemed to be sufficient for the full S102 area but will be reconsidered during the EIA Phase.</p>	<p>Scoping Phase</p>
<p>Kindly note that the management of waste under all circumstance must be done in accordance with section 16 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008): “general duty in respect of waste</p>	<p>Waleed Galvaan Directorate: Waste Management</p>	<p>Noted.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
management". Section 16(1)(d) requires that "A holder of waste must, within the holder's power, take all reasonable measures to manage waste in such a manner that it does not endanger health or the environment or cause a nuisance through noise, odour or visual impacts."	7 Feb 2023		
Dust generated from all the phases of the proposed activities must comply with the National Dust Control Regulations (GN No. R. 827) of 1 November 2013, promulgated in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004). Measures to monitor and prevent fugitive dust emissions be investigated and reported on the Reviewed Air Quality Impact Assessment and incorporated into the Environmental Management Programme.	Nokulunga Goqo Directorate: Air Quality Management 7 Feb 2023	Noted. Airshed is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs. The dust control and air quality management measures will be detailed in the Environmental Management Programme (EMPr) in line with the proposals made by the air quality specialist.	Scoping Phase
Noise generated on site from all the proposed activities must comply with the Western Cape Noise Control Regulations published in Provincial Notice 200/2013. The Reviewed Noise Impact Assessment must assess noise impacts for all stages of the proposed development and include measures to prevent and minimise disturbing noise.	Nokulunga Goqo Directorate: Air Quality Management 7 Feb 2023	Noted. EARES is currently updating the Environmental Noise Impact Assessment (ENIA) in line with the proposed revised layout. An additional site visit and ambient sound measurements will be undertaken as part of the ENIA revision. These measurements will include defining ambient sound measurements over a 2-night period as per the proposed GG 43110 of 20 March 2020. These will be long-term measurements at a minimum of 2 locations with high confidence in the resulting information. This data will be processed and included in the ENIA report. A monitoring plan, including noise, will be included in the EMPr as proposed by the noise specialist.	Scoping Phase
The above-mentioned comments/recommendations do not pre-empt the outcome of this application. No information provided, views expressed and/or comments made by this Directorate should in any way be seen as an indication or confirmation that additional information or documents will not be requested; or of the outcome of any application submitted to the authorities.	Nokulunga Goqo Directorate: Air Quality Management 7 Feb 2023	Noted.	Scoping Phase
The Department reserves the right to revise initial comments and request further information based on any or new information received.	Thea Jordan	Noted.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
	Directorate: Development Facilitation ObO. Head of Department 7 Feb 2023		

1.3 Heritage Western Cape

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
There is quite a big range from 108 to 153, are you going deeper in depth in terms of excavating for the resource?	Ceciline Muller Heritage Western Cape 12 Oct 2022	The mine depth remains more or less the same, with the average depth being 70m. The depth increases from the north-east and north-west towards the railway line, with 8 - 10 meters being the shallowest, and the deepest is close to 100m.	Pre-Application Phase
My concerns are about the possibility of finding human remains and I hope it is captured in the heritage agreement. There is a protocol but I do not see the protocol here.	Ceciline Muller Heritage Western Cape 12 Oct 2022	In the EMPr there will be a Fossil Find Procedure as well as a Human Remains Chance Find procedure. She reiterated that additional field work will not add value. HWC agreed with the assessment.	Pre-Application Phase
We've got a database of registered conservation bodies. The problem is some of the First Nation groups are not registered with HWC as a conservation body and it takes a while for them to register with us.	Ceciline Muller Heritage Western Cape 12 Oct 2022	Noted.	Pre-Application Phase

1.4 Western Cape Department of Transport and Public Works

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Will the topsoil be backfilled within 2 years, as topsoil is not viable after 2 years?	Carl October Western Cape Department of	It will depend on the mining schedule but most likely will be more than 2 years.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
	Transport and Public Works 12 Oct 2022		
The trunk road is a provincial trunk road located on the southern boundary of the development. The trunk road has a current road reserve of 60 meters, but only 30 meters are currently utilised. The reason for the larger servitude, is that the road is part of the strategic freight route for Saldanha. We've just upgraded the interchange on the R27. If any other upgrades or intersections are planned along that route that would necessitate a discussion between ARME and the Department as this could affect the access arrangement and size and geometry of your access to the mine.	Carl October Western Cape Department of Transport and Public Works 12 Oct 2022	There will be a pipeline from the mine that will pump the product to VDM Logistics located to the south, from VDM it goes to the harbour for distribution. Therefore, the impact on the road infrastructure will be minimal.	Pre-Application Phase
You also mentioned the Lafarge access road and intersection with the trunk road. If you are planning to move the intersection, road access management comes into play. You also mentioned that the railway line would be relocated. DRPW would need to understand what that future relocation looks like and how it intersects with trunk road 85, which is a major provincial freight access route.	Carl October Western Cape Department of Transport and Public Works 12 Oct 2022	The relocation of the railway does not form part of the Zandheuvel mine development and is not as a result of the mine development. VDM Logistics applied to Transnet for the relocation of the railway line and it is a separate process. Mientjie van der Vyver responded that the product pipeline will come directly from the plant and will go underneath the road, onto the VDM site. The only disturbance to the trunk road would be the wayleave application to construct the pipeline crossing under the road. The Lafarge access intersection will not be moved.	Pre-Application Phase
As a final point keep in mind that there is a building restriction within 50 meters from the road reserve boundary, within no structures allowed unless permission is given. I agree that a wayleave application would be required for the pipeline crossing.	Carl October Western Cape Department of Transport and Public Works 12 Oct 2022	Noted.	Pre-Application Phase
From a road perspective we are also faced with offsets. The management of that offset is of interest to me. Will it be done by Cape Nature at a fee, and how will the long-term management post mining completion be dealt with?	Carl October Western Cape Department of Transport and Public Works 12 Oct 2022	The management of the offset areas still needs to be discussed with Arcelor Mittal with the involvement of Cape Nature. At this stage, we have not finalised what it would look like but we have a vision and a desired end result.	Pre-Application Phase
The Draft Scoping Report refers. In a previous environmental process this Branch has stated that the discussions with ARME were ongoing with their	Devlin Fortuin	A traffic impact assessment (TIA) was conducted during the previous environmental process. At the time, ARME investigated two options, i.e. temporary access to TR85/1 at	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>traffic engineer. This Branch had received no final report or traffic impact statement.</p> <p>While this Branch has no objection in principle to the environmental process proceeding, a traffic impact assessment will be required in future submissions for comment.</p>	<p>Production Engineer: Road Use Management 2 Feb 2023</p>	<p>the existing Lafarge/Pindulo VDM intersection and permanent access to the TR85/1 by constructing a new access road (3 options investigated). The TIA addressed both options. The Integrated Environmental Authorisation (IEA) was approved by the Department of Mineral Resources and Energy (DMRE) on 8 April 2022. Site-specific condition 16 clearly state that “Access to the site must be through an existing access road as indicated on the layout plan and the construction of new access road is prohibited”. The current plan is in line with the IEA condition in that access to the TR85/1 will be at the existing Lafarge/Pindulo VDM intersection, i.e. the temporary access option as assessed by the 2020 TIA. The TIA will be made available for comment during the EIA Phase.</p>	

1.5 Department of Water and Sanitation

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>I have a question on the Wetland screening report and I'd just like to know who the specialist was, who undertook the screening?</p>	<p>Warren Dreyer Berg Proto-CMA: WULA Manager 12 Oct 2022</p>	<p>Nick Steytler, from Enviro Swift.</p>	<p>Pre-Application Phase</p>
<p>In terms of the groundwater assessment, has the applicant discussed the development with the Department? If not, I would recommend a meeting be arranged as soon as possible to ensure all the aspect regarding the groundwater use, potential pollution and monitoring can be discussed, so it can be prepared for inclusion in the WULA.</p>	<p>Warren Dreyer Berg Proto-CMA: WULA Manager 12 Oct 2022</p>	<p>A specific IWULA Pre-Application meeting will be arranged where specific requirements can be discussed. <i>Post-meeting note: A pre-application meeting was held with DWS during the Mining Right application process, on 21 November 2019.</i></p>	<p>Pre-Application Phase</p>
<p>This Department has perused the submitted application and has no objection towards the proposed mining consolidation right, however the following comments should be taken into consideration.</p>	<p>Nelisa Ndobeni Control Environmental Officer 30 Jan 2023</p>	<p>Noted.</p>	<p>Scoping Phase</p>
<p>Prior to commencement of any mining activities within the two consolidated mineral right properties, the applicant is</p>	<p>Nelisa Ndobeni</p>	<p>The draft EIAR will be made available for comment as per the requirements of NEMA. In addition, ARME will apply for an</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
required to submit to this Department, the Draft Basic Assessment Report for further commenting.	Control Environmental Officer 30 Jan 2023	<p>IWUL for the water use activities triggered by the ZPP. The IWUL application will be conducted in parallel to the EIA process and the public participation integrated as far as practically possible. The draft Integrated Water and Wastewater Management Plan (IWWMP) will be made available for comment at the same time as the draft EIAR and EMPr and combined public meetings will be held.</p> <p>It is noted that the IWUL application will be uploaded on the on-line eWULAAS system during the EIA Phase, after which the NWA process will be followed, including a pre-application meeting with DWS.</p>	
All the requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be adhered to at all times.	Nelisa Ndobeni Control Environmental Officer 30 Jan 2023	Noted.	Scoping Phase
Please note that this Department reserves the right to amend and/or add to the comments made above in the light of subsequent information received.	Nelisa Ndobeni Control Environmental Officer 30 Jan 2023	Noted.	Scoping Phase
The comments issued shall not be construed as exempting the applicant from compliance with the provisions of any other applicable Act, Ordinance, Regulation or By-law.	Nelisa Ndobeni Control Environmental Officer 30 Jan 2023	Noted.	Scoping Phase

1.6 Department of Agriculture

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Please note that this office is bound by the government filing system which is currently in physical file format as approved by the Auditor General.	Brandon Layman Administrative Assistant to: Cor van der Walt	An e-mail with the following response was sent on 18 Jan 2023: Thank you for your email, and we take note of your request.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>The transition to electronic filing is slow and must be according to government protocols. The provincial department responsible for our electronic storage/filing etc. is in process to develop that.</p> <p>As solution to the cost of printing hard copies and lack of electronic filing system on our side (as discussed above) we decided the best option is to give you as consultants the option for a CD or USB as alternative to hard copy.</p> <p>The main difference between a CD or USB is storage. A hard copy, CD or USB is the “store”. Email or we-transfer needs to be printed to be stored physically as we do not have an approved filing system available in the cloud or other network.</p> <p>CD or USB we can still put on a physical file.</p>	<p>Land Use Manager 18 Jan 2023</p>	<p>Please note that a hard copy with a USB was delivered to your offices in Elsenburg on 5 Jan 2023. Receipt signed by Megan September.</p> <p>Please let me know if you have any trouble locating the hard copy.</p>	

2 LOCAL GOVERNMENT

2.1 West Coast District Municipality

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>The major sources that would generate potential air emissions in the form of dust and exhaust fumes, are noted to be mainly from the mining activity, screening and stockpiling of minerals and ore, handling of minerals and ore for stockpiling and distribution, vehicular movements on paved and unpaved roads, wind erosion of the topsoil and the windblown dust from trucks transporting the minerals and ore.</p>	<p>C Ganten-Bein Manager: Air Quality 10 Jan 2023</p>	<p>Airshed is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will consider the wind direction, speed, and significant sources of air emissions in the emissions inventory and dispersion modelling. The dispersion modelling will develop air quality isopleths that will visually indicate the potential impact of the ZPP on surrounding sensitive receptors. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR) for review by all registered IAPs.</p>	<p>Scoping Phase</p>
<p>The applicant is reminded that the National Dust Control Regulations (Government Notice No. R. 827) of 1 November 2013 promulgated in terms of the NEM: AQA, 2004, must be complied with.</p>	<p>C Ganten-Bein Manager: Air Quality 10 Jan 2023</p>	<p>Noted.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>Effective dust pollution mitigation measures must be implemented and maintained to contain dust and spillages in such a manner that the potential pollution generated will not be a detriment to the receiving environment or be a nuisance to the surrounding land users. Water is not to be the only mitigation measure and has proven to be non-effective during the hot dry summer season.</p>	<p>C Ganten-Bein Manager: Air Quality 10 Jan 2023</p>	<p>Noted. Appropriate mitigation measures will be identified to address any form of dust generation, including for not limited to wind breaks, watering, and chemical surfactants. The wearing course layer of the gravel roads (access and internal haul roads) will be treated with a dust management product (Dust-A-Side or similar) and managed. Wind barriers will be strategically placed to prevent dust fallout within the residential areas or other strategic infrastructure, such as the public roads and neighbouring properties.</p> <p>Dust monitoring will be implemented on-site before construction to obtain baseline dust fallout levels.</p>	<p>Scoping Phase</p>
<p>It is noted that a review of the impact modelling with new layout, updated maps and impact assessment will be provided as an addendum to the current report. This office will await the amended Air Quality Impact Assessment and Noise Impact Assessment studies for further comment.</p>	<p>C Ganten-Bein Manager: Air Quality 10 Jan 2023</p>	<p>The AQIA and Noise Impact Assessment will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs.</p>	<p>Scoping Phase</p>
<p>As Cadmium will be present and there will be emissions of Cadmium escaping into the receiving environment, it is recommended that a health risk impact study be provided. Not only should the study be focused on Cadmium, as it is known to be cancer causing agent, but on all the minerals and ores listed within the draft scoping report.</p>	<p>C Ganten-Bein Manager: Air Quality 10 Jan 2023</p>	<p>A human health impact assessment was compiled by the CSIR in 2020 as part of the Mining Right application EIA process. It is considered to be sufficient and recent enough for the purpose of this S102 application as indicated in the Plan of Study. This Plan of Study for the specialist studies were accepted by the Authorities during the meeting on 12 and 14 October 2022. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs.</p> <p>It is noted that the ZPP phosphates are low in Cadmium, and it is therefore not expected to cause a health risk to neighbouring landowners or the environment.</p>	<p>Scoping Phase</p>
<p>A transport route to and from the facility must be provided to the West Coast Municipal Air Quality Office.</p>	<p>C Ganten-Bein Manager: Air Quality 10 Jan 2023</p>	<p>The existing Lafarge access road will be upgraded and used for access to the infrastructure and plant area. The upgraded access road (existing Lafarge Road) will also be used for access by the mining equipment. A new access road to Lafarge will be constructed to separate the two access roads from each other. The wearing course layer of the roads will</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		be treated with a dust management product (Dust-A-Side or similar) and managed.	
Please note that the Department Minerals Resources and Energy is the competent authority to issue the mining rights and the Department Fisheries, Forestry and Environment is the competent licencing authority in terms of issuing atmospheric emission licences.	C Ganten-Bein Manager: Air Quality 10 Jan 2023	The initial plant design included a rotary dryer for the drying of mineral solids; however, the rotary dryer has been removed from the scope of the project, and excess water from the product will be removed by means of a filter press. The applicant will, therefore, not need to apply for an Atmospheric Emission Licence (AEL).	Scoping Phase
The applicant is reminded of Section 28 of the National Environmental Management Act No. 107 of 1998 (NEMA), i.e., "Duty of Care" which states that: <i>"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take responsible measures to prevent such pollution or degradation from occurring, continuing or recurring, or in so far as such harm to the environment is authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment."</i>	C Ganten-Bein Manager: Air Quality 10 Jan 2023	Noted.	Scoping Phase
The office reserves the right to request additional information or revise or withdraw comment.	C Ganten-Bein Manager: Air Quality 10 Jan 2023	Noted.	Scoping Phase
Dust mitigation measures must be implemented during construction and operational phases.	BJ Fritz EHP Vredenburg Office 17 Jan 2023	Noted. Appropriate mitigation measures will be identified to address any form of dust generation, including but not limited to windbreaks, watering, and chemical surfactants. Dust monitoring will be implemented on-site prior to construction to obtain baseline dust fallout levels	Scoping Phase
Storage facilities for phosphate must be of such construction not to cause any environmental pollution nor cause any form of pollution during transportation / storage.	BJ Fritz EHP Vredenburg Office 17 Jan 2023	The final product will be transported via a pipeline to Pindulo VDM, situated to the south, for final drying and distribution of the product. Water reclaimed from the final drying will be pumped back to the process water dam for reuse in the plant. The pipeline will cross the existing TR85/1 road and will be pipe-jacked underneath (along with the process/greywater pipeline). The final phosphate concentrate will be stockpiled in a closed existing/new warehouse at VDM before being distributed to the market/customers.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
During construction and operations all nuisances should be avoided including bad odours, excessive dust, all forms of pollution or unhygienic and offensive conditions.	BJ Fritz EHP Vredenburg Office 17 Jan 2023	Noted. Appropriate mitigation measures will be identified to address any form of impact. Good housekeeping will be enforced on-site and monitored through the HSE systems and procedures.	Scoping Phase
Ablution facilities must be provided for both male and females, an approved municipal wastewater system must be installed on site.	BJ Fritz EHP Vredenburg Office 17 Jan 2023	<p>Containerised ablution and change house facilities will be erected in the mine infrastructure area.</p> <p>The WWTW is positioned south of the Mine Infrastructure Area and will be a package plant type solution (Scarab STS100 or similar approved). The sewer reticulation from the MIA will flow into a pre-digestion chamber/septic tank, where organic solids are digested into soluble organic compounds. The effluent is then passed on to the WWTW (Scarab system) by way of a submersible pump. The Scarab design is a biological system that requires bacteria (biomass) to perform the cleaning process. The WWTW will have a capacity of 85kL, and the wastewater will be treated to General Limits as per the National Water Act (Act No. 36 of 1998). The treated effluent will be discharged in the PCD for re-use (process water or dust suppression).</p> <p>The SBM indicated that the proposed sewer treatment package plant would be acceptable (meeting with SBM Water Department on 2020/02/26).</p>	Scoping Phase
Waste management must be implemented during construction and operation phase.	BJ Fritz EHP Vredenburg Office 17 Jan 2023	Noted. Waste segregation will be implemented on-site, and recycling will be done as far as possible. An approved waste management contractor will be appointed to manage and dispose of the non-recyclable waste at appropriately licenced landfill sites.	Scoping Phase
Responsible persons need to ensure that the premises are always maintained in a clean and hygienic matter.	BJ Fritz EHP Vredenburg Office 17 Jan 2023	Noted. Good housekeeping will be enforced on-site and monitored through the HSE systems and procedures.	Scoping Phase

2.2 Saldanha Bay Municipality

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
We prefer to only provide written comments on the circulated application.	Lutendo Musetsho Environmental Officer SBM 22 Sept 2022	Noted.	Pre-Application Phase
I am satisfied to follow the normal process and to submit written comments accordingly.	Rene Toesie Senior Manager: Support Services Infrastructure Planning Services 22 Sept 2022	Noted.	Pre-Application Phase
The various sections in the Municipality will be satisfied with rendering comment on the application after circulation (therefore the physical session is not required).	Linsey Gaffley SBM 22 Sept 2022	Noted.	Pre-Application Phase
Please provide the following documentation: 1. Air Emissions Impact Assessment Report 2. Dust Control Management Report 3. Dust Fallout Monitoring Programme 4. A plan indicating Air Quality and Dust Fallout Monitoring Networks must be provided 5. An Air Quality Management Plan	Rene Toesie Senior Manager: Support Service (Infrastructure Planning Services) 7 Feb 2023	Airshed Planning Professionals (Airshed) is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs. The dust control and air quality management measures will be detailed in the Environmental Management Programme (EMPr) in line with the proposals made by the air quality specialist.	Scoping Phase
No open stockpiles will be permitted.	Rene Toesie Senior Manager: Support Service (Infrastructure Planning Services) 7 Feb 2023	The final phosphate concentrate will be stockpiled in a closed existing/new warehouse at VDM before being distributed to the market/customers. No open product stockpiles are planned on the site.	Scoping Phase
Noise monitoring be conducted during the construction phase and measures put in place to minimise disturbing noise emissions and must be in compliance with the Western Cape Noise Control Regulations PN 200/2013	Rene Toesie Senior Manager: Support Service (Infrastructure	Enviro Acoustic Research (EARES) is currently updating the Environmental Noise Impact Assessment (ENIA) in line with the proposed revised layout. An additional site visit and ambient sound measurements will be undertaken as part of	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
	Planning Services) 7 Feb 2023	the ENIA revision. These measurements will include the defining of ambient sound measurements over a 2-night period as per the proposed GG 43110 of 20 March 2020. These will be long-term measurements at a minimum of 2 locations with high confidence in the resulting information. This data will be processed and included in the ENIA report. A monitoring plan, inclusive of noise, will be included in the EMPr as proposed by the noise specialist.	
Dust generated from all the phases of the proposed activities must comply with the NEM: AQA, National Dust Control Regulations (Government Notice No. R. 827) of 1 November 2013. www.westerncape.gov.za	Rene Toesie Senior Manager: Support Service (Infrastructure Planning Services) 7 Feb 2023	Noted. This will be addressed in the AQIA.	Scoping Phase
Strict compliance to the attached SBM Air Quality Bylaws, 2022	Rene Toesie Senior Manager: Support Service (Infrastructure Planning Services) 7 Feb 2023	Noted. This will be addressed in the AQIA.	Scoping Phase
A copy of all Air Quality and Dust Fallout Monitoring must be submitted to SBM on a monthly basis	Rene Toesie Senior Manager: Support Service (Infrastructure Planning Services) 7 Feb 2023	Noted. This requirement will be included in the air quality monitoring plan in the EMPr.	Scoping Phase

3 ENVIRONMENTAL, CONSERVATION, HERITAGE & TOURISM GROUPS / ORGANISATIONS

3.1 Cape Nature

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
In terms of the revised layout one of your dams have moved down to the south. Please confirm that it is not going to go into that patch of core corridor in the south-eastern corner of the project area.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	The stormwater management plan indicated is indicative and further work is being done to update and finalise the plan. Consideration of sensitive areas and topography will guide the final layout.	Pre-Application Phase
It also depends on the restoration potential of the vegetation on site and the rehabilitation methodology, and if there is evidence that the methodology can be successful in restoring the biodiversity it can be taken into consideration. My position would be that we take hectares offset in its totality and anything in addition due to rehabilitation as an added benefit.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	Thank you for the guidance provided.	Pre-Application Phase
Are you working on just the pit area, or all the affected areas included?	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	There is a significant area within CBA1 (80ha), and strictly according to the new guidelines, it would not be offsettable. If it is not offsettable the project is fatally flawed. It is an important discussion point of how we are going to offset CBA1 areas. If it cannot be offset, do we then look into compensation? The fact that the Mining Right and IEA have already been approved and the offset of the CBA1 areas have already been approved, and the fact that there has been no appeal, we can take it as offsettable.	Pre-Application Phase
The decision taken as part of the Mining Right and IEA was that the offset of the CBA1 areas needs to be feasible. So as long as you are still able to meet the management objective of those CBAs elsewhere, it is offsettable.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	Noted.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
If you consider the reasons for the CBA classification, you will find that it is mostly due to the planned climate adaptation corridors. If you look at securing offset areas the management objectives of the adaptation corridors must be your guide.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	ARME is already in discussions with Arcelor Mittal to secure a very pristine piece of land. There is enough optionality on the table and enough in the area to do good and to have a potential no net loss scenario or potentially a net bank scenario and potentially achieve the management objectives.	Pre-Application Phase
Remember a guideline is a guideline. The offset has been approved, and part of that decision is to now ensure that the options consider the management objectives of the areas.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	Agreed.	Pre-Application Phase
And to add onto what John said, I think we have a unique opportunity here with the SSOS initiative as well. If we can bring some of those elements into the offset study and how we can secure and move forward in that space, that is going to help with the motivation.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	Noted.	Pre-Application Phase
Have you looked at the SSOS and how it affects this project? Cause you see the offset receiving areas may trigger additional offset areas.	Ismat Adams Cape Nature 12 Oct 2022	The areas are based on Nick Helme's proposals in the baseline offset report. So that's the area that's associated with Arcelor Mittal. These areas are in addition to the Skurwewalle areas and that's also very highly sensitive. It forms part of the coastal corridor and those are options that STS will look at.	Pre-Application Phase
The CBAs are aligned with the core corridor in the WCBS. Essentially the open pits shave off a portion of that Corridor.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 12 Oct 2022	Noted.	Pre-Application Phase
So for this amendment application, you are obviously going to go through mitigation measures to determine what additional measures is needed.	Ismat Adams Land-Use Scientist /	Yes.	Pre-Application Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
	Landscape West Conservation Operations 12 Oct 2022		
<p>It is understood that this application is to expand on the mining areas approved in 10103MR and consolidate the mineral deposit as per prospecting application WC10297PR. The resource will be mined by conventional truck and shovel open pit mining utilising the terrace mining method. The terrace mining method provides the opportunity to exploit the orebody while minimising the mined-out area by backfilling. The mine will be divided into two pits due to existing infrastructure (rail line) that crosses the ore body. An increase in area of the area to be mined necessitated additional infrastructure possibly increasing the overall development footprint. The selected preferred development layout avoids very high sensitivity area in the north of the site, by enlarging the West mine residue facility in the area of lower conservational value in the southern portion of the site. A biodiversity offset was required for high residual impact in the approved mining right 10103MR, and is also deemed appropriate for this expansion application due to perceived high residual impacts.</p> <p>The study area is located within two mapped vegetation types, namely the Critically Endangered (CR) Saldanha Granite Strandveld (small sections on the northern boundary of the study area) and the Endangered (EN) Saldanha Flats Strandveld (majority of the study area).</p> <p>Based on the terrestrial biodiversity scoping report provided and previous botanical assessments of the area, three vegetation types are present on site. Saldanha Flats Strandveld - deemed to be of low – medium botanical sensitivity (for previously cultivated areas) and of medium to high floral sensitivity for intact areas. Saldanha Granite Strandveld – very high botanical sensitivity - will form part of the biodiversity offset areas and will not be impacted by any of the mining infrastructure of the Zandheuwel Mine.</p>	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 10 Feb 2023	Noted, as per the information provided in the DSR.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>Saldanha Limestone Strandveld – medium-medium-high botanical sensitivity – parts of this ecosystem type will also be included in the proposed offset receiving areas.</p> <p>From the previous floral assessment, and the field assessments undertaken in 2022, numerous floral SCC were recorded, and suitable habitat were found for species as listed under the provincially protected list and the screening tool. The presence of important biodiversity features such as CBA1, CBA2, ESA1 and ESA2 was supported within the study areas and as such development within these areas may impact upon the overall conservation targets represented in the WCBSP.</p> <p>No SCC mammals were observed within the study area although the area falls within the distribution range of some mammal SCC which have the potential to occur within the study area. During the site visit in 2022 many avifaunal species were observed within the study area including two IUCN listed SCC which will utilise the study area for foraging and/or breeding purposes. The study prepared by Nick Helme (2020) also confirmed several avifaunal SCC occurring within and around the study area. No reptile SCC were observed during the site visit in 2022 although an abundance of common reptile species were observed. Amphibian populations are likely to be low due to the lack of permanent or seasonal freshwater habitat.</p>			
<p>Based on the biodiversity scoping report and previous botanical and ecological assessment, the site is clearly ecologically sensitive. It is agreed as per the proposed avoidance and mitigation measures in the biodiversity scoping report that as far as feasibly possible, sensitive habitats must be excluded from the proposed mining activities, and development should be prioritised in habitats of decreased sensitivity.</p> <p>Based on the comparison of development footprint in figure 5 and 6 of the DSR, the expansion footprint appears to add</p>	<p>Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 10 Feb 2023</p>	<p>The project has gone through a round of biodiversity impact mitigation following the mitigation hierarchy as advocated in the Draft National Biodiversity Offset Guidelines (published in Government Gazette No. 46088 on 25 March 2022). This has already led to a reduction in footprint, notably in the high biodiversity areas. This footprint was specifically avoided to minimise the impact of areas of the highest biodiversity value on site. STS is currently in the process of finalising the draft biodiversity offset feasibility report, which will be widely consulted with the relevant stakeholders, including your</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>substantial development footprint mainly to the south. In the 10103MR application, there was already a high residual impact that led to the need for biodiversity offset to be provided. It is therefore important to note that an increase in footprint may lead to biodiversity impact significance of very high which would be a fatal flaw to the project.</p>		<p>Department, Cape Nature and the Cape West Coast Biosphere Reserve, as applicable.</p>	
<p>Considering the above, more avoidance is required of the development layout – which essentially means reduction of mining pit area – which reduces development footprint including of supporting infrastructure but will also reduce LOM. The feasibility of the proposed expansion relative to biodiversity will require the balancing of LOM and biodiversity requirements. All class B areas as per the MBG that have been ground-truthed and confirmed as class B must be avoided.</p> <p>It would have been good to receive a biodiversity offset feasibility report during the DSR phase as it is doubtful whether the Competent Authority will allow further public participation phases of the DSR. Considering this, it must be noted that biodiversity offset reports to be submitted during the EIA phase will most likely require changes. It is also highly important to note that considering the ecological sensitivity of an area, the feasibility of an offset (determining whether the project is fatally flawed and cannot be offset) is an integral part of the offset development process, which will now only be addressed during the 1 phase of public participation afforded in the EIAR phase. It is therefore recommended that an offset feasibility report be completed before the commencement of EIAR phase and the potential feasibility of the offset be presented and discussed with conservation authorities – CapeNature and DEA&DP.</p>	<p>Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 10 Feb 2023</p>	<p>The project has gone through a round of biodiversity impact mitigation following the mitigation hierarchy as advocated in the Draft National Biodiversity Offset Guidelines (published in Government Gazette No. 46088 on 25 March 2022). This has already led to a reduction in footprint, notably in the high biodiversity areas. This footprint was specifically placed to avoid and minimise the impact of areas of the highest biodiversity value on site. The Bankable Feasibility Study, approved by the IDC, has been completed on the existing footprint. A further reduction in the mine footprint will render the project not economically viable.</p> <p>The biodiversity offset strategy is being developed to address your concerns. It will be presented and consulted with your Department before the commencement of the EIA Phase. The SSOS, particularly the climate adaptation corridors, are being used as a primary guiding principle in developing the offset initiative.</p> <p>The Applicant notes that not allowing the project to continue is not a guarantee that there will not be other mining applicants in future who may apply to exploit this deposit, or another threat being illegal land invasions that can render the entire area to lose its biodiversity altogether. The Applicant notes that the end product to be produced is a uniquely benefited type of phosphate product, of which the end product usage will have a more positive affect on sustainability, healthier and environmentally friendlier fertilizer practices not just for the Western Cape, South Africa, but for the entire Southern African Region. By denying the applicant this chance to develop the mine, notwithstanding the economic benefits, the Southern African Community is denied an opportunity to eat</p>	

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		locally produced healthier foods/crops fertilized with a healthier, environmentally friendlier and more sustainable, reduced carbon footprint phosphate fertilizer, and at the same time, the area is at risk for illegal land invasions. The Applicant has spent much time and resources and conducted many tests and two pilot plant trials to ensure that the product produced is a sustainable, environmentally friendlier and healthier reduced carbon footprint phosphate product, with the hope that the Authorities will also view this type of product as a type of offset in terms of environmental losses that will occur as a result of the mine and plant. While this mine will result in biodiversity losses, the Authorities must also consider what this proposed mine will give back to the Southern African Society in terms of the uniqueness of the product to be produced compared to the normal phosphates produced in our country and also being imported into our country and the region.	
It is noted that areas not earmarked for development will be rehabilitated and managed to improve veld condition and habitat for faunal species and floral SCC.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 10 Feb 2023	Noted. This forms part of the Biodiversity Offset Strategy currently under development.	Scoping Phase
CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	Ismat Adams Land-Use Scientist / Landscape West Conservation Operations 10 Feb 2023	Noted.	Scoping Phase

3.2 Cochoqua Khoi Tribal Council

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
I herewith place on record the support and endorsement of the Aikonese Cochoqua Khoi Tribal Council for the Draft Scoping Report and the acceptance of the S102 application of Adelaide Ruiters Mining and Exploration (ARME) by the Department of Minerals and Energy.	Paramount Chief !Khaesen Maart ObO Aikonese Cochoqua Khoi Tribal Council 7 Feb 2023	Noted.	Scoping Phase
The Aikonese Khoi Tribal Council (AKTC) is a sub-tribe of the aboriginal Cochoqua Kingdom Council that is endemic to the whole of the West Coast where, among other things, this project is located. Our Khoi Tribal Council, thus have a direct, and also a legal interest in protecting natural resources in the West Coast, both in terms of its ecological and cultural heritage significance.	Paramount Chief !Khaesen Maart ObO Aikonese Cochoqua Khoi Tribal Council 7 Feb 2023	Noted.	Scoping Phase
Our support for this project has been extensively pondered on and is primarily a strategic act of indigenous cultural agency where we, as integral part of the Khoi and San resurgence, act in the interest of this marginalized and disenfranchised part of the South African community to secure a legacy for our generations to come.	Paramount Chief !Khaesen Maart ObO Aikonese Cochoqua Khoi Tribal Council 7 Feb 2023	Noted.	Scoping Phase
The Aikonese Tribal Council is well aware of the most critical factor that this project is located in an area which is indisputably part of terrible history of this country, which caused the foundational Khoi peoples of this area to be dispossessed of their historical land, their cattle and to be put to the sword, dispersed into margins and subjected to a cultural and social genocide.	Paramount Chief !Khaesen Maart ObO Aikonese Cochoqua Khoi Tribal Council 7 Feb 2023	Noted.	Scoping Phase
We are therefore very proud of it and give our unconditional support to Adelaide Ruiters Mining and Exploration (Pty) Ltd, that is owned by the very first aboriginal woman in world history to do phosphate mining on her own tribal land. We, therefore, see this as a landmark victory for the fight of aboriginal peoples, in particular the Khoi and San, to reclaim and restore their heritage and land rights.	Paramount Chief !Khaesen Maart ObO Aikonese Cochoqua Khoi Tribal Council 7 Feb 2023	Noted.	Scoping Phase
The Khoi and San, for way too long has been trivialized, silenced and bludgeoned into invisibility, therefore the ATKC have chosen to exercise our own agency and by the powers vested in us as Aboriginal people in terms of	Paramount Chief !Khaesen Maart	Noted with thanks.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
UNDRIP (United Nations Declaration on the Rights of Indigenous People) to give Free, Prior and Informed Consent to any project that may have direct impact on us, we give our ancestral blessings to ARME to proceed with this project.	ObO Aikonese Cochoqua Khoi Tribal Council 7 Feb 2023		

3.3 Saldanha Bay Clean Air Association

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
In terms of the public participation process undertaken in terms of regulation 41 of the Regulations, the Saldanha Bay Clean Air Association (SBCAA) hereby submits its comments on the ZANDHEUVEL PHOSPHATE MINING AND BENEFICIATION PROJECT (ZPP) to the competent authority for consideration. The SBCAA is a registered NPO with a vision to establish itself as an environmentally conscious body that engages with industry and the community in a constructive manner on Air Quality matters in the Saldanha Bay region.	Saldanha Bay Clean Air Association Directors 7 Feb 2023	Noted with thanks. The SBCAA is a registered Interested and Affected Party.	Scoping Phase
In light of the mine application, SBCAA highlights the importance of thoroughly assessing air quality, particularly relating to particulate matter, during both the construction and operating phases of the mine. SBCAA suggests that ambient monitoring including dust fall should receive special attention and be monitored by an independent service provider if approved.	Saldanha Bay Clean Air Association Directors 7 Feb 2023	Airshed is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs. The dust control and air quality management measures will be detailed in the Environmental Management Programme (EMPr) in line with the proposals made by the air quality specialist. Monitoring will be conducted by an independent service provider.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Additionally, SBCAA emphasizes the need for proper assessment and mitigation of noise impacts from mining activities and increased heavy vehicular traffic to be within legal limits. If approved, monitoring of noise levels should be carried out during the construction and operating phases by an independent service provider.	Saldanha Bay Clean Air Association Directors 7 Feb 2023	EARES is currently updating the Environmental Noise Impact Assessment (ENIA) in line with the proposed revised layout. An additional site visit and ambient sound measurements will be undertaken as part of the ENIA revision. These measurements will include the defining of ambient sound measurements over a 2-night period as per the proposed GG 43110 of 20 March 2020. This will be long-term measurements at a minimum of 2 locations with a high confidence in the resulting information. This data will be processed and included in the ENIA report. A monitoring plan, inclusive of noise, will be included in the EMPr as proposed by the noise specialist.	Scoping Phase
SBCAA is committed to maintaining a healthy environment and reducing the adverse effects of air pollution. To achieve this, SBCAA intends to collect data on air pollutants and air emission licenses in the Saldanha Bay Municipal area, and collate this information into a study that is accessible and understandable to the community.	Saldanha Bay Clean Air Association Directors 7 Feb 2023	Noted.	Scoping Phase

4 OTHER SECTORS OF SOCIETY

4.1 Academic Institutions

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
It is not clear what benchmarks are used for the anticipated increase from approximately 10 to 20 years in the LOM as well as the increase in employment figures after the proposed consolidation of the mining rights and prospecting rights.	Dr Michael Dyssel UWC 17 Jan 2023	With the consolidation of the two mineral rights, it was possible to optimise the mine layout and ensure the optimal utilisation of the mineral resources. Additional mineral resources are therefore available for mining, increasing the LOM from approximately 11 years to 20 years. There will be a limited increase in labour, the main benefit being the extension of employment for a further 10 years.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
The risk assessment register, as a summary document, lists 171 impacts/concerns of which 28 are of high and/or moderately high significance across the different phases of the project. The description of the mitigation effects associated with the categories of high, moderately high, moderate, low and negligible significance across the different phases of the project is very repetitive and not informative though.	Dr Michael Dyssel UWC 17 Jan 2023	The mitigation effect refers to the efficiency of the proposed mitigation measures identified to avoid, reduce or minimise the impact, and is inherently repetitive. The detail proposed mitigation measures are included in Table 5-2: Mitigation and Management Measures for the ZPP (taken from approved EMP, Exigo 2021) of Appendix 5 of the Scoping Report.	Scoping Phase
As the nearby Kropz Elandsfontein Phosphate mine is facing financial and operational problems, what are the prospects of ZPP operating successfully within the context of the broader West Coast development initiatives, the phosphate mining industry, and from a strategic environmental assessment (SEA) point of view?	Dr Michael Dyssel UWC 17 Jan 2023	VBKom conducted a Bankable Feasibility Study (BFS) for ARME which indicated that the ZPP is economically and technically viable. As part of the BFS pilot scale testwork was successfully conducted to prove the viability of the proposed technology.	Scoping Phase

4.2 Business

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
I herewith welcome this development as our Sub Region (Saldanha) and the broader West Coast Region are in need of such economic development. We can also deal to a certain extent with unemployment with the almost 400 direct jobs. This can only positively impact our community as another generation of matriculants will enter the job market after the 20th and this might ease the burden of finding employment.	Eugene du Toit SGB-Blue 9 Jan 2023	Noted.	Scoping Phase
Hope you are doing well. Thank you for your email. Can you please send me more information regarding the above matter. Thanks in advance.	Deon Moffat Glencor Trading (Pty) Ltd Managing Director 25 Jan 2023	An e-mail reply was sent 25 Jan 2023 containing the Notification with all relevant information.	Scoping Phase
I'm in favor to this development because I received correspondence since October 2019 about the Zandhevel	Deon Moffat	Noted.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Phosphate Mine Project which will cause positive economic impacts on the West Coast and also on our environment and that's why I am glad the hearing examiner approved this project. I look forward to benefitting from the project. I am in support of the application as the region needs economic growth.	Glencor Trading (Pty) Ltd Managing Director 25 Jan 2023		
I look forward to benefitting from the project. I am in support of the application as the region needs economic growth.	Zharon Damonse Black Women in Sustainable Business 7 Feb 2023	Noted.	Scoping Phase

4.3 Local Community Members

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Just wanted to hear when is the meeting and where in Vredenburg is it. Must I bring my CV with to the meeting.	Jean Pierre Louwville 11 Jan 2023	Project notification with more information regarding the project was sent on 11 Jan 2023. Open Days have been scheduled in Saldanha and Vredenburg on Friday 27 January 2023 from 13:00-17:00 at the Skilpad Hall, Esperia Str, Vredenburg and on Saturday 28 January 2023 from 09:00-13:00 at the Diazville Community Hall, 1 Sardina Str, Diazville, Saldanha. Please attend one of the meetings for further information.	Scoping Phase
Trust my email finds you well, Please can you assist me with more information and details regarding the meeting that will be held in Saldanha? Date? Time? Place? Discussions? Any other information are welcome. Thank you	Carmen Damons 24 Jan 2023	A reply on this mail was sent on 25 Jan 2023 with the following information: Please find attached the notification with more details. The information shared will be the same on both days so you only need to attend one of the below. Open Days have been scheduled in Saldanha and Vredenburg on Friday 27 January 2023 from 13:00-17:00 at the Skilpad Hall, Esperia Str, Vredenburg and on Saturday 28 January 2023 from 09:00-13:00 at the Diazville Community Hall, 1 Sardina Str, Diazville, Saldanha.	Scoping Phase
My name is Brendon Peters (24) I work currently in the Mining Environment for four years and am very interesting	Brendan Peters 25 Jan 2023	A reply on this mail was sent on 25 Jan 2023 with the following information:	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
in the OPEN DAYS of the Zandheuvél Phoshate Mining And Benefician Project, which take takes on the 27 & 28 January 2023 in Saldanha and Vredenburg. I will be happy if you can assist me with more information / details on the planned Open Days, Time and Place.		Open Days reminder for information sharing on: Friday 27 January 2023 from 13:00-17:00 at the Skilpad Hall, Esperia Str, Vredenburg OR on Saturday 28 January 2023 from 09:00-13:00 at the Diazville Community Hall, 1 Sardina Str, Diazville, Saldanha. More information is given in the attached notice. Contact Fransis at 0769450108 or arme@participation.co.za for more information.	
When on starting point I would like to be contacted. Skills: Operator (Machine), Mechanical Fitter, Driver I look forward to benefitting from the project.	Mervin Cloete Louville Open Day 27 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase
On commencing of the project I would like to be contacted if any position is available. Skills: Semi-Skilled Fitter, Technician, Safety Officer, Cargo Co-Ordinator, Environmental Specialist I look forward to benefitting from the project.	Julian Cloete Louville Open Day 27 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase
I would like to be contacted to work on the mine when the work starts. I look forward to benefitting from the project. I am in support of the application as the region needs economic growth.	Ivan Matshoni Louville Open Day 27 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase
Due to the starting of this project, I would like to be contacted on my cell. Skills: Assistant Technician, SHE/Safety Rep, Skilled labourer, Overhead crane operator, Plant operator, Staff transport (Driver), Supervisor I look forward to benefitting from the project.	Anwar Rawoot Louville Open Day 27 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase
I suggest that the mine must employ reputable contractor and help to ensure that the contractors pay their employees. I suggest that the mine has a list of people employed by the contractors and follow up if the workers has been paid. I look forward to benefitting from the project.	John May Vredenburg Open Day 27 Jan 2023	Your comments are noted and will be considered at Implementation Phase.	Scoping Phase
Due to the start of this project I would like to be contact. I look forward to benefitting from the project.	Zrano Pieters Witteklip Open Day 27 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase
I feel very excited about the new Zandheuvél Phosphate project. I think it's an excited career opportunity for the youth	Brendon Peters Afrimat	Noted. Your details will be included in the ARME skills register.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
and economy to help the poverty in our community as well as in our land South Africa. I look forward to benefitting from the project. I am in support of the application as the region needs economic growth.	Open Day 27 Jan 2023		
I am fully supportive of this project because it can only benefit and support the West Coast in general and it is an opportunity for skills development and growth within and around this area. I look forward to benefitting from the project. I am in support of the application as the region needs economic growth.	Leonard Raats Diazville Open Day 28 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase
I support the project because its going to have a great impact on our youth for work and for the community. It's a good idea to create more work for people with skills. I look forward to benefitting from the project. I am in support of the application as the region needs economic growth.	Lollite Lewis Diazville Open Day 28 Jan 2023	Noted. Your details will be included in the ARME skills register.	Scoping Phase

4.4 Langebaan Ratepayers and Residents Association

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
It is understood that this Draft Scoping Report is to combine two already approved mining resources. The comments in this document apply to this project and to the wider project covering the whole of the ZPP project.	Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023	ARME has applied for the consolidation of its ZPP Mining Right WC 30/5/1/2/2/10103 MR and its Prospecting Right WC 30/5/1/1/2/10297 PR in terms section 102 (S102) of the Mineral and Petroleum Resources Development Act (MPRDA), 2002 (Act 28 of 2002) and to amend its approved Integrated Environmental Authorisation (IEA) and Environmental Management Programme (EMPr) to include the Prospecting Right area.	Scoping Phase
It is stated that the mining right includes the minerals Zircon, Monazite and Rare Earth Elements. It must be noted that these minerals are radioactive and therefore the Nuclear Regulators Act applies and should be referenced in the list of applicable legislation.	Clement Matthews / John Selby LRRRA Chairperson	Thank you for highlighting the omission of the National Nuclear Regulator (NRR) Act 47 of 1999 in the list of the applicable legislation. This will be rectified in the final Scoping Report.	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Has the Nuclear Regulators Act been referenced? If yes, where?	12 Jan 2023		
The waste dumps referred to as the Mine Residue Facilities (MRF) look exactly like the design of a tails dam (see fig.7). These two facilities are located on the southern side of the property and have a planned maximum height of 60m. In the light of the strong SE and N winds experienced in this area, it is likely that the dust/mineral waste will blow over Blue Bay with the North wind, and over Vredenburg with the SE winds. It appears that the strength of the winds has not been considered, neither have the potential effect that they may cause. Has the strength of the winds been considered? If yes, what is the potential effect such winds may cause? Where can the recorded outcome of the potential wind effect consideration be obtained or viewed?	Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023	Airshed is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will take into consideration the wind direction and speed in the emissions inventory and dispersion modelling. The dispersion modelling will develop air quality isopleths that will visually indicate the potential impact of the ZPP on surrounding sensitive receptors. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs. Wind barriers will be strategically placed to prevent any dust fallout within the residential areas or other strategic infrastructure, such as the public roads and neighbouring properties.	Scoping Phase
The project description states that waste water from the Saldanha sewage treatment plant will be used for dust suppression, amongst other things. While the reuse of water is commendable it should be noted that the Government Gazette no 36820, item 1.10(g) specifically states that the mist from use of such waste water should not impact people – residents or workers. If this is the plan, the standards of cleanliness of the wastewater will need to be increased. Has the level of cleanliness of the wastewater been tested in preparation of this submission? If not, when last was the cleanliness of the water tested? If yes, where can the results of the tests be obtained or viewed?	Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023	The water from the SBM's WWTW is treated to General Limits as per the National Water Act (Act No. 36 of 1998). The water will be monitored on a regular basis to ensure compliance with the standards in order to prevent any health impacts on the employees in close contact with the water. The grey water was tested in 2017 as part of the pilot scale test work that was conducted (see attached as A-1). It indicated that no enteric bacteria (Coliforms) were present in the grey water, which is normally the cause of health risks to humans. No recent water quality testing was done for the ZPP; however, SBM tests the treated sewage on a regular basis to ensure adherence to the stated standards.	Scoping Phase
A pollution control dam is described; however, no mention is made of how the accumulated water will be managed. The project will be using caustic soda and a vegetable oil product, both of which are likely to end up in the pollution control dam. How will this waste liquid be managed?	Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023	Dirty stormwater from the plant and residue facilities will be collected and disposed of in the PCD and recycled for use in the plant and for dust suppression. The PCD will be lined with a leak detection system which will prevent any seepage to the groundwater resources. The geomembrane will be a 1.5mm HDPE liner. The PCDs would be operated on the basis that it will be empty, except during major flood events. The PCDs	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
(Please provide specific and detailed information relating to both the caustic soda and oil products separately.)		<p>would therefore be emptied and kept empty during normal conditions. Any water collected in the PCDs can be used for dust suppression purposes (or similar approved activities).</p> <p>Any effluent from the plant will be pumped to the process water pond situated within the plant infrastructure area for reuse within the process. This water will not be disposed of in the PCD nor discharged into the natural environment.</p> <p>The caustic soda (NaOH) will be delivered via bulk road tanker and offloaded into the Caustic Soda Tank that is situated within a concrete bunded area. Any spillages will be contained within the bund. The SR6-6 Fatty Acid Oils and CPC117 froth modifier will be delivered in 1 000 L IBC containers and stored within a dedicated bund to prevent any spillages to or contamination of the surrounding area.</p>	
<p>The material to be placed on the MRF's is milled to a fine size and therefore very prone to wind erosion. Is financial provision being made by the applicant to cover full potential damage for clean ups? The above question also applies to odours and bacteria resulting from the use of wastewater.</p> <p>(Please provide specific and detailed information separately for (i) odours and (ii) bacterial distribution.)</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>The ROM is inherently fine, and only particles > 200µm will be milled to below 200µm (20% of ROM). Appropriate mitigation measures will be identified to address any form of dust generation, including but not limited to windbreaks, watering, and chemical surfactants. The wearing course layer of the gravel roads (access and internal haul roads) will be treated with a dust management product (Dust-A-Side or similar) and managed. Wind barriers will be strategically placed to prevent any dust fallout within the residential areas or other strategic infrastructure, such as the public roads and neighbouring properties.</p> <p>Dust monitoring will be implemented on-site prior to construction to obtain baseline dust fallout levels.</p> <p>The water from the SBM's WWTW is treated to General Limits as per the National Water Act (Act No. 36 of 1998). The water will be monitored on a regular basis to ensure compliance with the standards in order to prevent any health impacts on the employees in close contact with the water.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>The topsoil dumps are planned to be 5m in height. As the same risk of wind erosion applies as in point no 2 above, please provide detailed information relating to the questions below:</p> <p>Has the strength of the winds been considered? If yes, what is the potential negative/pollution effect such winds may have or cause? Where can the recorded outcome of the potential wind effect consideration be obtained or viewed? (Please provide specific and detailed information.)</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>Airshed is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will take into consideration the wind direction and speed in the emissions inventory and dispersion modelling. The dispersion modelling will develop air quality isopleths that will visually indicate the potential impact of the ZPP on surrounding sensitive receptors. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs.</p>	<p>Scoping Phase</p>
<p>Given that mining operations have a limited lifespan, please respond fully and in specific detail to the questions below. What is the future of the MRF's at mine closure, as the bulk density of the material will not allow it all to be backfilled? Who specifically will be responsible for managing the surplus residue after mine closure? (Please provide specific and detailed information.)</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>For the final LOM closure rehabilitation for the MRFs, the remaining material will be utilized to backfill the remaining pit voids to a level of 10m above the natural groundwater level and to backfill the pit slopes to 18 degrees. Some material will remain on both the Eastern and Western MRF, which will then be reshaped to 18 degrees. The rehabilitated dumps will be ameliorated and vegetated based on recommendations from a soil scientist and ecologist, respectively. The necessary stormwater management and windbreaks will be installed to protect the rehabilitated footprints against wind and water erosion. The long-term management and after-mine land use will be addressed in detail in the mine closure plan in consultation with the relevant authorities and stakeholders.</p>	<p>Scoping Phase</p>
<p>It is stated that there will be no drilling or blasting, however, it appears that a crusher will be used to break up consolidated material. This is another notable dust generating operation. Will this crusher be equipped with dust control?</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>No crusher is planned for the operation. A mechanical rock breaker (cherry picker) will be utilised to break up anticipated hard layers of ferricrete type material and crystallised phosphorite. Dust suppression measures will be applied during rock-breaking activities if required.</p>	<p>Scoping Phase</p>
<p>The final phosphate concentrate is being stockpiled after being dewatered. Will this storage be open or closed, again, prone to wind erosion? If not closed, is financial provision being made by the applicant to cover full potential damage for clean ups? (Please provide specific and detailed information.)</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>The final phosphate concentrate will be stockpiled in a closed existing/new warehouse at VDM before being distributed to the market/customers.</p>	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>There appears to a wastewater treatment plant on site. Where and how will the sewage sludge be disposed? (Please provide specific, clear and detailed information.)</p>	<p>Clement Matthews / John Selby LRRA Chairperson 12 Jan 2023</p>	<p>The WWTW is positioned south of the Mine Infrastructure Area (MIA) and will be a package plant type solution (Scarab STS100 or similar approved). The sewer reticulation from the MIA will flow into a pre-digestion chamber/septic tank, where organic solids are digested into soluble organic compounds. The effluent is then passed on to the WWTW (Scarab system) by way of a submersible pump. The Scarab design is a biological system that requires bacteria (biomass) to perform the cleaning process. The WWTW will have a capacity of 85kL, and the wastewater will be treated to General Limits as per the National Water Act (Act No. 36 of 1998). The SBM indicated that the proposed sewer treatment package plant would be acceptable (meeting with SBM Water Department on 2020/02/26).</p> <p>The treated effluent will be discharged in the PCD for re-use (process water or dust suppression). The water will be monitored on a regular basis to ensure compliance with the standards in order to prevent any health impacts on the people in close contact with the water.</p>	<p>Scoping Phase</p>
<p>It is claimed that the phosphate product will benefit local farmers economically, however, the focus of the project appears to be on the export market. Since many such products are priced based on international prices how exactly will this benefit local farmers? (Please explain in detail how the local farmers will benefit economically.)</p>	<p>Clement Matthews / John Selby LRRA Chairperson 12 Jan 2023</p>	<p>Both the national and international markets will be pursued; however, recently, the focus increasingly changed to the local market due to the scarcity of local phosphates (SA is importing 70% of its phosphates for fertilisers) and in support of the SA food security drive. Below are some of the potential benefits to local farmers:</p> <ul style="list-style-type: none"> • It is a direct application phosphate resource: The ZPP phosphates are already citric acid soluble, which means that plants can absorb the phosphates directly, and there is no need to produce a phosphoric acid first. In the case of an Igneous Phosphate Rock such as the phosphate produced at Foskor, the phosphate rock mined is beneficiated into a phosphate concentrate first and then further beneficiated into a phosphoric acid at Richards Bay before it can be applied as fertilizer. Then only can the plant roots absorb the phosphorous critical for plant growth. The cost to produce the ZPP phosphate source is, therefore, more cost-effective. 	<p>Scoping Phase</p>

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		<ul style="list-style-type: none"> • Cheaper alternative: The ZPP can potentially give rise to a cheaper organic alternative source of direct application phosphate input to fertilizer, which may assist our country's farmers. The Zandphos Phosphate will be a cheaper, locally produced organic, direct application phosphate option for the farmer, and by engaging with the correct government departments, it can lead to lower food prices. ARME is committed to engaging with such government departments with respect to this matter. • Environmentally friendlier and sustainable: It is a known fact that chemical fertilizers contaminate water tables as it leaches from the soils during rain events and with irrigation. The Zandphos Sedimentary Phosphate Rock is not water-soluble and does not leach out and thus presents as a slow-release fertilizer as it remains in the soil for a longer period of time. Furthermore, during the beneficiation process, the traditional chemicals used for phosphate beneficiation i.e. diesel, have been successfully replaced using a Canola Oil by-product, which will be sourced from canola oil/sunflower farmers from the Southern Cape. This may also potentially add to further economic growth for these farmers. • It is a slow-release soil enhancer: Soil may become depleted after years of agricultural application. As mentioned, Sedimentary Phosphate remains in the soils for longer and can also be applied as a soil enhancer or a type of "soil vitamin" to revitalise and replenish degraded soils. ARME is currently conducting agriculture trials to prove the slow-release quality of this phosphate so that farmers can also use these phosphates to replenish their depleted soil. • Agriculture trials to prove the agriculture efficiency of Zandphos: ARME has conducted agriculture trials since December 2021 to prove the agricultural efficiency of the product to be produced at the ZPP. Both organic and commercial farming trials were conducted. Successful soybean trials were conducted, which proved the product's efficacy in terms of yield for both organic and commercial 	

COMMENT	STAKEHOLDER	RESPONSE	Comment received during																
		<p>farming, not just as an organic phosphate. It can also be used effectively as part of a commercial farming programme, in other words, when it is used together with potash or nitrogen.</p> <ul style="list-style-type: none"> • Healthier option: The European Union has recently banned all phosphates with a Cadmium level of 20 parts per million or more due to the cancerous property of Cadmium. This poses a risk for human beings as well as animals since phosphate is also used in animal feed. Certain phosphate producers that can no longer supply Europe due to high Cadmium levels in their phosphates may find it easier to supply Africa, in particular South Africa. The reason for this ban is due to health reasons since Cadmium causes cancer. The ZPP phosphates are low in Cadmium. Should the farmers use the ZPP phosphates, this would be a healthier option. 																	
<p>A total of 397 jobs are predicted by the project. How many of these are permanent jobs? How many of these jobs are for skilled workers?</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>According to the Mining Work Programme for ZPP, the employment will consist of 317 permanent employees and 80 contractors/service providers. The breakdown for the permanent employees is indicated below (Source: ARME Social & Labour Plan).</p> <table border="1" data-bbox="1126 898 1854 1161"> <thead> <tr> <th>CATEGORY</th> <th>NO. OF POSITIONS</th> </tr> </thead> <tbody> <tr> <td>Top management</td> <td>1</td> </tr> <tr> <td>Senior Management</td> <td>13</td> </tr> <tr> <td>Professionally qualified and experienced specialists and mid-managers</td> <td>11</td> </tr> <tr> <td>Skilled technical and academically qualified workers, junior managers</td> <td>61</td> </tr> <tr> <td>Semi-skilled and discretionary decision making</td> <td>231</td> </tr> <tr> <td>Semi-skilled Employees</td> <td>0</td> </tr> <tr> <td>TOTAL PERSONNEL EXPENDITURE</td> <td>317</td> </tr> </tbody> </table>	CATEGORY	NO. OF POSITIONS	Top management	1	Senior Management	13	Professionally qualified and experienced specialists and mid-managers	11	Skilled technical and academically qualified workers, junior managers	61	Semi-skilled and discretionary decision making	231	Semi-skilled Employees	0	TOTAL PERSONNEL EXPENDITURE	317	<p>Scoping Phase</p>
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<p>The project description states that the use of the wastewater treatment water will reduce the risk of damage to the river side and marine environments. By implication there is a risk. What is the risk to the workers on the ZPP mine and the groundwater in the area? How is it justifiable? (Please respond with specific and detailed justification.)</p>	<p>Clement Matthews / John Selby LRRRA Chairperson 12 Jan 2023</p>	<p>The water from the SBM's WWTW is treated to General Limits as per the National Water Act (Act No. 36 of 1998). The water will be monitored on a regular basis to ensure compliance to the standards in order to prevent any health impacts on the employees in close contact with the water. SBM tests the treated sewage on a regular basis to ensure adherence to the stated standards.</p>	<p>Scoping Phase</p>																

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
		The grey water will be pumped to the grey water pond in the plant infrastructure area and used as top-up water in the process. Any effluent from the plant will be pumped to the process water pond, also situated within the plant infrastructure area, for reuse within the process. This water will not be disposed of in the PCD nor discharged into the natural environment. No impact on groundwater is therefore expected.	

4.5 Vredenburg Farmers Association

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
Why open another phosphate mine or again after it was not sustainable in the past (Chemfos)? Currently, the old Chemofos mine is a very big tourist attraction because of all the fossils; one of the best fossil parks in the world (<i>Hoekom nog of weereens 'n fosfaatmyn oopmaak nadat dit in die verlede (Chemfos) nie volhoubaar was nie? Huidiglik is die ou Chemofosmyn 'n baie groot toeriste attraksie as gevolg van al die fossiel; een van die beste fossielparke ter wereld.</i>)	AJ Pienaar Chairman 7 Feb 2023	VBKom conducted a Bankable Feasibility Study (BFS) for ARME, which indicated that the ZPP is economically and technically viable. As part of the BFS pilot scale, test work was successfully conducted to prove the viability of the proposed technology. The Old Samancor Chemfos Mine had a life of Mine for 30 years, and it was rehabilitated after 30 years of mining in 1993.	Scoping Phase
A phosphate mine in the middle of a tourism area; visitors to our shores are not excited about all the industrial construction activity, it drives them away. How does one explain that a Solar farm is rejected because of unsightliness, but a phosphate mine is welcome? (<i>'n Fosfaatmyn in die middel van 'n toerisme area; besoekers aan ons kus is nie opgewonde oor al die industriële konstruksie bedrywighede nie, dit jaag hulle weg. Hoe verklaar 'n mens dit dat 'n Sonplaas afgekeur word as gevolg van onooglikheid, mar 'n fosfaatmyn is welkom?</i>)	AJ Pienaar Chairman 7 Feb 2023	The ZPP Project is north and east of the Saldanha Industrial Development Zone, Arcelor Mittal & Namakwa Sands, and south of Vredenburg's Residential Development areas. Although tourism areas are on the broader West Coast, the project area cannot be characterised as being in the middle of a tourism area. Please note that the ZPP Mining Right was approved in 2022 and that this application is for an amendment of the right and authorisation.	Scoping Phase
There is concern about the air pollution caused by such a mine as well as the creation of blowing sand. The prevailing wind direction is south-east, which will cause a white powdery substance to blow in the Vredenburg residential area. This substance, which does contain phosphate, is highly insoluble and will not wash off easily in rainwater. The	AJ Pienaar Chairman 7 Feb 2023	Airshed is currently updating the Air Quality Impact Assessment (AQIA) in line with the proposed revised layout. This report will take into consideration the wind direction and speed in the emissions inventory and dispersion modelling. The dispersion modelling will develop air quality isopleths that will visually indicate the potential impact of the ZPP on	Scoping Phase

COMMENT	STAKEHOLDER	RESPONSE	Comment received during
<p>natural vegetation, which is also one of the tourist attractions, will be covered with this substance; not an asset. <i>(Daar heers kommer oor die lugbesoedeling wat so 'n myn teweegbring asook die ontstaan van waaisand. Die heersende windrigting is suid-oos, wat sal veroorsaak dat 'n wit poeieragtige stof in Vredenburg woongebied sal waai. Hierdie stof, wat dan wel fosfaat bevat, ishoogs onoplosbaar en sal nie maklik afwas in reënwater nie. Die natuurlike plantegroei, wat ook een van die toeriste attraksies is, sal oortrek wees van hierdie stof; nie 'n aanwins nie.)</i></p>		<p>surrounding sensitive receptors. This report will be made available as part of the draft Environmental Impact Assessment Report (EIAR), which will be available for review by all registered IAPs.</p> <p>Appropriate mitigation measures will be identified to address any form of dust generation, including but not limited to windbreaks, watering, and chemical surfactants. The wearing course layer of the gravel roads (access and internal haul roads) will be treated with a dust management product (Dust-A-Side or similar) and managed. Wind barriers will be strategically placed to prevent any dust fallout within the residential areas or other strategic infrastructure, such as the public roads and neighbouring properties.</p> <p>Dust monitoring will be implemented on-site prior to construction to obtain baseline dust fallout levels.</p>	
<p>This specific phosphate is not used by the grain farmers in our area, as it is very difficult to dissolve and absorb in our soil profile. Research has already been done by the University of Stellenbosh. <i>(Hierdie spesifieke fosfaat word nie in ons area deur die graanboere gebruik nie, aangesien dit baie moeilik oplos- en opneembaar is in ons grondprofiel. Navorsing is alreeds deur die Universiteit van Stellenbosh gedoen.)</i></p>	<p>AJ Pienaar Chairman 7 Feb 2023</p>	<p>There is an existing Phosphate Mine that opened in 2010, namely Geckofert, currently marketing their similar product Langfos Sedimentary Organic Phosphates, to the farmers in the Western Cape. The product is currently being sold to Western Cape farmers see www.geckofert.co.za. The ARME Zandphos is a similar product of a higher-grade concentration of Phosphates. The application rate for Wheat farming in the Western Cape is 4.86 tons/ha.</p>	<p>Scoping Phase</p>
<p>In our opinion, it is completely unnecessary to establish another phosphate mine in our area, as there is already an active phosphate mine at Elandsfontein (which was a conservation area), near Hopefield. <i>(Na ons mening is dit heeltemal onnodig om nog 'n fosfaatmyn in ons gebied te vestig, aangesien daar alreeds by Elandsfontein (was 'n bewaringsarea was), naby Hopefield, 'n aktiewe fosfaatmyn is.)</i></p>	<p>AJ Pienaar Chairman 7 Feb 2023</p>	<p>The ZPP has unique characteristics which support the SA food security drive. Below are some of the potential benefits to local farmers:</p> <ul style="list-style-type: none"> • It is a direct application phosphate resource: The ZPP phosphates are already citric acid soluble, which means that plants can absorb the phosphates directly, and there is no need to produce a phosphoric acid first. In the case of an Igneous Phosphate Rock such as the phosphate produced at Foskor, the phosphate rock mined is beneficiated into a phosphate concentrate first and then further beneficiated into a phosphoric acid at Richards Bay before it can be applied as fertilizer. Then only can the plant roots absorb the phosphorous critical for plant 	<p>Scoping Phase</p>

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		<p>growth. The cost to produce the ZPP phosphate source is, therefore, more cost-effective.</p> <ul style="list-style-type: none"> • Cheaper alternative: The ZPP can potentially give rise to a cheaper organic alternative source of direct application phosphate input to fertilizer, which may assist our country's farmers. The Zandphos Phosphate will be a cheaper, locally produced organic, direct application phosphate option for the farmer, and engaging with the correct government departments can lead to lower food prices. ARME is committed to engage with such government departments with respect to this matter. • Environmentally friendlier and sustainable: It is a known fact that chemical fertilizers contaminate water tables as it leaches from the soils during rain events and with irrigation. The Zandphos Sedimentary Phosphate Rock is not water-soluble and does not leach out and thus presents as a slow-release fertilizer as it remains in the soil for a longer period of time. Furthermore, during the beneficiation process, the traditional chemicals used for phosphate beneficiation i.e. diesel, have been successfully replaced using a Canola Oil by-product, which will be sourced from canola oil/sunflower farmers from the Southern Cape. This may also potentially add to further economic growth for these farmers. • It is a slow-release soil enhancer: Soil may become depleted after years of agricultural application. As mentioned, Sedimentary Phosphate remains in the soils for longer and can also be applied as a soil enhancer or a type of "soil vitamin" to revitalise and replenish degraded soils. ARME is currently conducting agriculture trials to prove the slow-release quality of this phosphate so that farmers can also use these phosphates to replenish their depleted soil. • Agriculture trials to prove the agriculture efficiency of Zandphos: ARME has conducted agriculture trials since December 2021 to prove the agricultural efficiency of the product to be produced at the ZPP. Both organic and commercial farming trials were conducted. Successful 	

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		<p>soybean trials were conducted, which proved the product's efficacy in terms of yield for both organic and commercial farming, not just as an organic phosphate. It can also be used effectively as part of a commercial farming programme, in other words, when it is used together with potash or nitrogen.</p> <ul style="list-style-type: none"> • Healthier option: The European Union has recently banned all phosphates with a Cadmium level of 20 parts per million or more due to the cancerous property of Cadmium. This poses a risk for human beings as well as animals since phosphate is also used in animal feed. Certain phosphate producers that can no longer supply Europe due to high Cadmium levels in their phosphates may find it easier to supply Africa, in particular South Africa. The reason for this ban is due to health reasons since Cadmium causes cancer. The ZPP phosphates are low in Cadmium. Should the farmers use the ZPP phosphates, this would be a healthier option. 	
<p>We wholeheartedly trust that the experts involved in this project will make the right and informed decisions, not only for the present, but especially for the future..we all remain stewards of the earth's surface. <i>(Ons vertrou van harte dat die kundiges wat betrokke is by hierdie projek, wel die regte en ingeligte besluite sal neem, nie net vir die huidige nie, maar veral vir die toekoms...ons bly maar almal rentmeesters van die aarde se oppervlakte.)</i></p>	<p>AJ Pienaar Chairman 7 Feb 2023</p>	<p>Noted. The specialists involved in the EIA studies are independent and will provide all necessary information, including impacts and benefits associated with the project to the decision-making authorities in order for them to make an informed decision.</p>	<p>Scoping Phase</p>