UPDATED REPORT OF FSE’s ACTIVITIES FOR APRIL 2019

Achievements

- Prof. Johann Tempelhoff’s, a non-executive director of the FSE, book titled “South African Water Governance Hydraulic Mission (1912 – 2008) in the WEF Nexus Context” received a Laureatus award. To view Prof Tempelhoff’s presentation please visit: https://www.youtube.com/watch?v=JQE4TpffvKg
- The FSE received a Certificate of Acknowledgement for its Community Development by the Gauteng Province (Health), the Rand West Stakeholder Forum and the Rand West City Local Municipality.

Company Matters:

- Registration by CIPC of newly appointed non-executive directors.
- Confirmation of the FSE’s compliance with the NPO Act. See subjoined:

  From: npoenquiry@dsd.gov.za <npoenquiry@dsd.gov.za>
  Sent: 07 May 2019 01:00 PM
  To: Dr Koos Pretorius <mariette@pea.org.za>
  Subject: RECEIPT OF ANNUAL REPORT
  REF: 062-986 NPO

  Dear Mariette Liefferink

  SUBMISSION OF ANNUAL REPORTS IN TERMS OF SECTION 18(1) OF THE NONPROFITORGANISATIONS ACT 71 OF 1997: FEDERATION FOR A SUSTAINABLE ENVIRONMENT

  We hereby acknowledge receipt of your annual report for the year ending Feb 2018.

  You are hereby informed that Federation For A Sustainable Environment complied with the reporting obligations as stipulated in the NPO Act for the financial year ending Feb 2018.

  Yours faithfully

  DIRECTOR: NONPROFIT ORGANISATIONS
  Private Bag X901
  Pretoria
  0001

  134 Pretorius Street
  HSRC Building
  Pretoria

  Tel: (012) 312 7500
  Fax: (012) 312 7684
  e-mail: NPOEnquiry@socdev.gov.za

  DATE : 07/05/2019

Legal Interventions:
o Mintails Group
  • Pursuant to the advertisement of sale by tender of Lot 1: Mintails Mining SA (Pty) Ltd (IN LIQUIDATION) advising that Joshua and Tim of WH Auctioneers are to be contacted and the sale has been instructed by the join provisional liquidators/(https://online.whauctions.com/auction-011/itemDetails/3275/387181) the Legal Resources Centre’s on behalf of the FSE wrote to the Minister of Mineral Resources, the liquidators and others, not to prevent the auction, but to bring important information to the attention of all the parties involved including the DMR, in the event that the environmental rehabilitation costs are affected negatively in any respect due to the auction. The above parties were advised that should the rehabilitation costs of R460 000 000.00 be prejudiced in anyway, the LRC will take the necessary steps available to the FSE in terms of the Companies Act 71 of 2008 and the Code of Conduct.
  • The LRC on behalf of the FSE requested clarity from DRDGOLD re DRDGOLD’s proposed action procedures against Mintails in regards to potential damages against Mintails.

o Cold Gold Trading (Pty) Ltd: Additional information following Cold Gold Trading’s responding statement, in terms of regulation 5 of the National Appeal Regulations, 2014, as amended (GNR 993 of 8 December 2014), in respect of the FSE’s appeal.

o Escarpment Environment Protection Group at the instruction of FVS Attorneys in the appeal to the Water Tribunal (Appeal WT 03/13/MP) against the granting of a Water Use Licence to William Patrick Bower (Pty) Ltd.

PAIA Requests

• Department of Water and Sanitation: REQUEST FOR A COPY OF THE INSPECTION REPORT: BAUBA A HLABIRWA MINING INVESTMENT (PTY) LTD
• Department of Mineral Resources: Ukufisa Colliery: Access to the records has been partially granted by the DMR. Request for copies of the mining right with conditions imposed, response and outcome of the appeal process lodged by the landowners and affected parties (only if the appeal has been finalised) were granted.

Requests for Intervention:

• Bauba Platinum
  o The FSE laid a complaint with the DMR re Bauba’s storage and management of their tailings and requested information.
  o The FSE called upon the Minerals Council to assess alleged non-compliances re Bauba Platinum’s storage and management of their tailings.

The Minerals Council confirmed that it will conduct internal consultations and will then respond comprehensively to the matters the FSE has raised.

• Plamietkuilen Mine: Request to the Department of Water and Sanitation not to grant a Water Use Licence for the Palmietkuilen Mine. ANGLO OPERATIONS (PTY) LTD (REFERENCE NUMBER: GP 30/5/1/2/2/10047 MR), FOR THE PROPERTIES PORTIONS 1, 2, 4, 9, 13 AND 19 OF THE FARM PALMIETKUILEN 241 REGISTRATION DIVISION IR, SEDIBENG DISTRICT MUNICIPALITY GAUTENG PROVINCE: DATE OF AUTHORISATION 5 MARCH 2019
• Consol Glass, Apex mining, the holding company of Kwanza: Request for information pursuant to complaints by Manenberg Community
• Monte Cristo Commercial Park (Pty) Ltd (10048 MR), Sweet Sensations, Tja Naledi Sand Mines: Complaints and objections submitted to the Department of Mineral Resources re alleged non-compliances. The RMDEC invited Mr Gavin Aboud on behalf of the FSE and the Vaalouwer Ratepayer to present the objection lodged against the said mining right application.
• Protea Mine (Pty) Ltd: Investigation by the Department of Mineral Resources re alleged unlawful mining – Response and Directive
• Wilmar SA (Pty) Ltd (fka Wilmar Continental (Pty) Ltd) and RCL Foods Limited: Alleged pollution – investigation by the Department of Water and Sanitation, Response and Directive

News Media: Interviews

- Vaal Weekblad – Riolbolsoedeling van die Vaal (Izolde Pistorius)
- Bernadette Maguire. TV Producer. Health-e News: Meadowlands and Mintails Ltd.
- Sunday Times (Business Times) / SA Mining (Nellie Moodley): Environmental Management
- Video story for TimesLive on urban mining
- Stefan Kleinowitz, photo journalist (Der Spiegel)

Publications

- Keynote Address and peer reviewed paper in terms of the Proceedings of the 22nd International Conference on Paste Thickened and Filtered Tailings (Australian Centre of Geomechanics) ISBN 978-0-9876389-2-2, titled “Selected extracts from South African legislation: Challenges with the management of gold tailings within the Witwatersrand gold fields and case studies”
- Spilpunt article titled “Versekering van omgewingvolhoubaarheid en ’n billike oorgang tot ’n lae koolstofekonomie. Met erkenning aan die Nasionale Ontwikkelingsplan – 2030.”
- 3rd Draft Chapter on Book (Van Schaik Publishers) titled: “Engagement with Mining Affected Communities: Lessons Learnt. A Case Study within the West Rand Goldfields”

Research Assistance:

- M. Mpanza
- Peer Review Assessment for Prof. Elize van Eeden (North West University) - New Contree article on Lands Claims (Musina)

Community Assistance:

- Nadia McIntyre (West Wits Mining) - information
- Social Programme in partnership with Gold Fields’ South Deep Mine, sponsorship of:
  - School shoes and socks for vulnerable learners of TM Letlhake School, Simunye
  - Soccer Tournament – balls, medals, soccer kit and trophies
- Manenberg Community: Apex mining, the holding company of Kwanza Sands Minerals and alleged environmental non-compliances
- Herman Swart re the Anglo American Colliery matter

Presentations:

- The International Development Law Unit, Centre for Human Rights, University of Johannesburg: Business and Human Rights Week. (Dr. Niyi (Omo) Abe Programme
Manager/Academic Advisor, LLM Trade and Investment Law in Africa – Presentation on topics directly connected with the business and human rights debate with a focus on states duty to protect, corporate responsibility to respect and access to remedies. (Presentation scheduled for June 2019)

- Australian High Commission: Presentation on Closure and Mintails (how not to close a Mine)
- groundWork: Presentation on the Management of Toxic Waste

Contributions:

- South African Water Caucus: Draft Manifesto
- SAVE: summary of the current water situation in the Vaal River System. It is based on the presentations delivered at the recent Reconciliation Strategy Steering Committee meeting of the National Department of Water and Sanitation (Directorate: National Water Planning).

Comments on:

- Ergo's proposed reclamation of the City Deep Dumps (GP 185 MR)- Draft EIA/EMP and IWULA Report
- Ergo's proposed reclamation of the Rooikraal TSF (GP 187 MR)
- Ezulwini Mine Decommissioning
- SD6 WSSLG Task Team Meeting Minutes

Engagements with:

- Uzani Environmental Advocacy (Frik van Schalkwyk) in the matter between Uzani Environmental Advocacy and BP Southern Africa (Pty) Ltd.
- SAWC re Presidential Social Sector Working Group - DWS Nomination
- Producers of Jozi Gold regarding the progressive developments since and after the filming of Jozi Gold

Environmental Tours:

- Thusanang Community
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<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>2 April 2019</td>
<td>Interview (continuation of the Mintails’ matter) with Bernadette McGuire (Health E-org.)</td>
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<td>3 April 2019</td>
<td>Blyvoor Gold Capital: Meeting with Louis Lamsley regarding progress with the management and mitigation measures pertaining to TSF No 6&lt;br&gt;Engagements: Frik van Schalkwyk re judgment in the Uzani Environmental Advocacy cc and BP Southern Africa (Pty) Ltd – request for assistance with the advocacy as witness</td>
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<td>4 April 2019</td>
<td>Written comments on the Ergo City Deep Application</td>
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<td>5 April 2019</td>
<td>Participation in the Minerals Council’s briefing on the Human Rights Framework and subsequent endorsement of the objection to the process which was followed</td>
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<td>6 April 2019</td>
<td>Reporting of alleged relocation of residents on wetlands (Absa Squatter Camp matter) to local and provincial authorities&lt;br&gt;Objection to the Water Use License Application / Authorisation In Terms of the Integrated Environmental Authorisation for the Palmietkuilen Mining Project Near Springs, Gauteng</td>
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### 9 April 2019

**COMMENTS ON THE PROPOSED RECLAMATION AND REPROCESSING OF THE ROOIKRAAL DUMP IN JOHANNESBURG, GAUTENG PROVINCE DRAFT SCOPING REPORT**

DMR Reference: GP 187 MR

Attendance of the launch of Prof Johann Tempelhoff’s (a non-executive director of the FSE) book titled “South Africa’s water governance hydraulic mission (1912–2008) in a WEF-Nexus context”

**Synopsis**

Geologists, physicists and ecologists currently promote the idea of a post-Holocene epoch – the Anthropocene. As a result of constant innovation and modernisation in the fields of engineering, natural science, management studies and environmental studies there has been a growing awareness of the intrinsic interaction between humankind and the environment. Humankind has become part of the environmental dynamics, to the extent that they are literally able to change ecosystems. Nowhere is the impact more evident than in the anthropogenic engagement with the hydrosphere – from the smallest pool of water to the earth’s atmosphere. Comprehensive infrastructure development in water and sanitation, the growing trend to seek additional resources in the form of groundwater, desalinated seawater, and recycled wastewater, as well as special attention being given to capturing and preserving rainwater, bear evidence of a timely response to climate change, population growth and rapid development in many water-stressed regions of the world.

The purpose of the book is to provide a historical overview of the manner in which South Africa’s water resources have been governed from a time when the Union of South Africa was formed, in 1910, up to 2008, a time of a growing global awareness of the potential impact that climate change may have on water resources in a key region of southern Africa, notable for increasing levels of aridity and more erratic rainfall patterns. This focus on the history of water affairs in South Africa makes it possible for scholars to comprehend the contemporary transitions made in the country’s water governance system since the establishment in 2014 of the Department of Water and Sanitation. The focus is on the Water–Energy–Food nexus, a strategy which holistically contemplates the governance and use of water from the perspective of the
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<tr>
<td>12 April 2019</td>
<td>Presentation to the Australian High Commission, on invitation. The presentation is subjoined hereunder.</td>
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<td>13 April 2019</td>
<td>Partial granting of the FSE’s application for information in terms of the provisions of PAIA with reference to Ukufisa Colliery by the DMR</td>
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<tr>
<td>16 April 2019</td>
<td>Meeting with Prof Elize van Eeden to discuss future sustainable land use options (post closure) of the Far West Rand gold fields</td>
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<td>18 April 2019</td>
<td>Tour of the West Rand gold fields and the South Deep Mine with Dr Claudia Gouws and 50 masters students of the North West University within the social, environmental and political sciences (photographs to follow) and Stephan Kleinowitz, a photo journalist of Austria</td>
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<tr>
<td>24 April 2019</td>
<td>Presentation to groundWork on Management of Mining Waste within the Witwatersrand gold fields</td>
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<td>25 April 2019</td>
<td>News media interview: Izolde Pistorius of Vaalweekblad – pollution of the Rietspruit and Vaal River</td>
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<td>Reply to Gerron Fraser of Bishop Fraser’s attorneys on behalf of its client, Cold Gold Trading (Pty) Ltd’s response to the FSE’s appeal against the environmental authorisation.</td>
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<td>26 April 2019</td>
<td>The FSE received an award, titled “Certificate of Acknowledgement: Community Development” from the Executive Mayor of the Rand West Municipality.</td>
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<tr>
<td>30 April 2019</td>
<td>The FSE conducted an Environmental Tour with Thusanang Community in association with Gold Fields’ South Deep Mine (photographs to follow)</td>
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