

REPORT FOR JUNE 2018

COMPANY MATTERS


During June 2018:


1. The FSE appointed Ricardo Wyngaard Attorneys to assist and advise the FSE on the NPO Act (71 of 1997), the Companies Act (71 of 2008), the Income Tax Act (58 of 1962) and King Code IV and to make recommendations how to improve the corporate governance structures of the FSE.


The FSE was provided with:

- a. Memorandum for the Federation for a Sustainable Environment which sets out the key areas on which the Company can focus within the next twelve months to improve its compliance/governance
  - b. A link to a 20-minute video on the Companies Act: [https://www.youtube.com/watch?v=T\\_xOwLcYnQg](https://www.youtube.com/watch?v=T_xOwLcYnQg)
  - c. A link to a video which deals with 5 compliance issues for NPOs: <https://www.youtube.com/watch?v=mJj--UCsYtk>
  - d. NPO Guide to Board Meetings
  - e. Sample NPO Induction Programme
2. The FSE appointed Pierre Govea, a labour consultant to assist and advise the FSE on its Agreements with its employees and temporary workers. His services are rendered on a pro bono basis.
  3. The FSE appointed an independent investigator and auditor, Willie Burger of Burger and Voster Incorporated to investigate the allegations by Mr Tripathi, the CEO of Atha Africa Ventures (Pty) Ltd against the FSE. The preliminary report found no reason to believe that the FSE benefitted in any way from any dodgy and or unethical dealings with Exxaro.
  4. The FSE submitted a sworn affidavit pertaining to its B-BBEE Status Level. The sworn affidavit indicates that Federation for a Sustainable Environment NPC qualifies as an Exempt Micro Enterprise (EME) under the Broad-Based Black Economic Empowerment Act, No 53 of 2003, as amended (B-BBEE Act) and the Amended Codes of Good Practice as issued under section 9 of the B-BBEE Act per Notice 1019, Gazette No 36928 of 11 October 2013 and as amended by Notice 407, Gazette No 38765 of 6 May 2015 (the amended codes). The amended codes came into effect on 1 May 2015 in accordance with Notice 444, Gazette No 38799 of 15 May 2015. The Federation for a Sustainable Environment NPC has a B-BBEE Status Level of Four that applies for the 12 month period from 01 July 2018 to 30 June 2019. As an EME the entity is an Empowering Supplier.

Date	Activity
June 1 and ongoing	Research Assistance to Nadia McIntyre: Labour Law Bureau on matters pertaining to West Wits Mining
5 June	Wonderfonteinspruit Catchment Management Forum Meeting. Participation. Verbal and Written contributions
7 June	Mooi River Catchment Management Forum

	Meeting. Written contributions
8 June	Magaliesburg Catchment Management Forum Meeting. Participation. Oral and written contributions
11 June	Financial contributions to SANCO for art and culture event within the West Rand gold fields (Reference: Tebogo Makolwane)
12 June	<p>Participation in the DWS' "Gazetting of the Reserve in the Vaal Water Management Area." Riverside Sun, Vanderbijlpark" (Reference: Andrejoubertcs@gmail). Oral and written contributions</p> <p>Meeting with IAPs (Tom van Rooyen et al) re Rhythm of the Nation mining company within the Klerksdorp area and submission of a PAIA request to the DMR for a copy of the EMPR of the mining company</p>
15 June	Engagements with Mr Moleki, principal of the Kgothlang Secondary School in Bekkersdal re environmental and awareness creating lecture and tour in terms of the FSE/South Deep Mine's MOU
18 June and ongoing	<p>Meeting with Shaun Janneker of DMR Mineral Regulation re sand mining within Vaalower (cancelled)</p> <p>Ongoing assistance to IAPs (Protect Vaal Eden, Vaalower Residents Association), PAIA applications and requests for investigation by DMR and DWS re sand mining (Tja Naledi, Sweet Sensations, Goosebay) within Vaalower</p>
19 June	<p>Written contributions to the Submissions on the Amendments to the National Dust Control Regulations 2013 Published in Terms of the National Environmental Management: Air Quality Act, 2004 (AQA) (Reference: Timothy Lloyd, Centre of Environmental Rights)</p> <p> CER Written Submissions - Dust t</p>
21 June and ongoing	<p>Meeting with the Mayor of Ngwathe Local Municipality and officials pertaining to: Generic Issues Applicable to all Sand Mines within the Ngwathe Local Municipality:</p> <ul style="list-style-type: none"> <li>• Alleged Flawed Public Participation Process</li> <li>• Zoning not appropriate for mining: Resultant loss of income to Ngawthe</li> </ul>

	<ul style="list-style-type: none"> <li>• Road not rated to carry trucks with a GVM of 56 tons</li> <li>• Alleged Non Adherence to Mine Plan: Equipment and Working Hours, Mining outside boundaries of authorization</li> <li>• Alleged Non Adherence to EMP: WUL, Rehabilitation after strip mining i.e. frequent lack of concurrent rehabilitation, insufficient financial provision for rehabilitation</li> <li>• Alleged flawed perspective on Socio-economic Plans</li> <li>• Property Values declining: Resultant loss of income to Ngwathe Municipality</li> <li>• Elected Officials: Non Responsiveness from all government departments</li> </ul> <p>Ngawthe Municipality undertook to review this matter, engage other Government Departments i.e. DMR , to give feedback and arrange a follow up meeting</p>
<p>22 June and ongoing</p>	<p>Meeting with DEA, Dumsani Buthelesi, the director of waste management of the DEA and his colleague, Willem Snyman et al re ongoing pollution of the Hennops River</p>  <p>and proposed interventions namely:</p> <ul style="list-style-type: none"> <li>• Firstly the solid waste dumping next to the Kaalspruit, washing down from Ivory Park, with planned initiatives of recycling, education and proper disposal sites. The first step will be organising a cleanup day for the Hennops involving both communities as well as businesses connected with the river.</li> <li>• To combat the severe sewage pollution numerous green solutions were dicussed that are permanent and economically viable such as a bio-filter security moat</li> </ul>

	<p>for Sunderland Ridge Wwtw as well as wetlands at outlets for further treatment and removal of a wider range of toxins. Effective Micro-organisms (EM) to make Wwtws more efficient, breaking down sludge as well as its introduction in sewerage pipes as pre-digestion, forming also the basis to regenerate life in the river.</p> <ul style="list-style-type: none"> <li>The whole Hennops becoming a bio-diversity corridor and riverine reserve to connect existing reserves at top, middle and bottom. Where a large wildlife sanctuary can be formed by expanding around the core of the new Crocodile River Reserve and becoming a nursery of endangered species in a historic area next to the Cradle as the Birthplace of our kind.</li> </ul>
25 June	<p>Tour with an investment analyst of Perspective Investment Management of DRD Gold's operations with Henry Gouws and Louis Kleynhans; Mintails' operations; Blyvooruitzicht Gold Mining Company; Sibanye Stillwater's reclamation operations with Andre du Plessis and Gold Fields' South Deep Mine with Sven Lunsche and environmental managers.</p>
26 June	<p>Interview with Mark Olalde, an investigative journalist for OXpeckers, on the Draft Regulations for Financial Provisions for Prospecting, Exploration, Mining and Production Operations.</p> <p>Please see attached Minutes with the FSE's comments.</p>  <p>Minutes (FP Regulations NEMLA)</p>
27 June	<p>Research Assistance:</p> <ul style="list-style-type: none"> <li>Hannah Benn – Green Infrastructure for Mine Rehabilitation</li> <li>Sinoxolo Maqaya –Wits BSC Geography Honours student</li> </ul>
29 June	<p>Facilitation of Tour of Gold Fields' South Deep Operations including the pouring of a gold bar with SAIMECHE (Reference: Carel Kruger). Carel Kruger, the Chairperson of SAIMECHE</p>

wrote:

*From: Carel Kruger  
[mailto:careld.kruger@gmail.com]  
Sent: 02 July 2018 08:41 PM  
To: Harmony Ntlemo  
<Harmony.Ntlemo@goldfields.com>;  
Relebohile (Lebo) Mlipha  
<Relebohile.Mlipha@goldfields.com>;  
Puseletso Matete  
<Puseletso.Matete@goldfields.com>;  
Nomasonto Monapathi  
<Nomasonto.Monapathi@goldfields.com>;  
Andre Swartz (Met. Plant)  
<Andre.Swartz@goldfields.com>; Margie Van  
Vuuren <Margie.VanVuuren@goldfields.com>;  
stephen.joseph@goldfields.com; Mariette  
Lieverink <mariette@pea.org.za>; Jenny Fuller  
<admin@saimeche.org.za>  
Subject: Visit to Goldfields South Deep Mine*

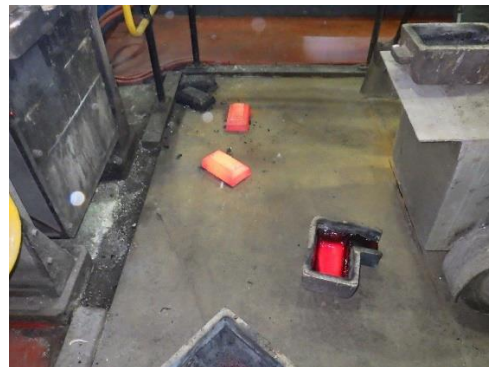
*Dear All,  
I would like to express my sincere appreciation  
on behalf of SAIMEchE Central Branch for  
accommodating us on Friday 29 June. The visit  
was an eye opener and I believe all of us left  
with a different impression of Goldfields.*

*Mariette,  
A special word of thanks for the arrangements  
from your side.*

*Best Regards,  
Carel  
Carel Kruger  
083 316 0488*







The FSE observed during its tour of the South Deep Mine that the dust from the historic tailings storage facilities (TSFs) is ameliorated by means of netting, rock cladding and vegetation. The

	<p>historic TSFs have functioning toe paddocks, cut off trenches and are fenced with concrete palisade fencing with warning signs at prominent places. The pollution control dams are lined. The Doornpoort TSF (under construction) is effectively fenced off with warning signs. The slurry pipelines are designed in accordance with the onerous ASME B31.4 code. The steel pipelines are protected from external corrosion by a suitable coating or jacket. The pipelines are fitted with a leak detection system. The pipelines are supported on in-situ cast concrete supports with foundations located at predetermined intervals. The pipelines have berm walls and concrete spillage paddocks. Concurrent rehabilitation is conducted on the TSFs side walls. There are scavenger boreholes to detect seepage from the TSF and to pump it back into two lined pollution control dams.</p> <p>Stringent safety measures in terms of the Mine Health and Safety Act, 29 of 1996 were followed by the Mine's Management during the tour and visitation of the Plant.</p>
30 June	<p>Invitation to the Waterberg Bojanala Priority Area Multi-stakeholder Reference Group (WBPA) Meeting on the Air Quality Management for the WBPA in terms of Section 19(a) of the Air Quality Act.</p> <p>Written contribution.</p>
24 June	<p>Screening of Vert de Rage / Afrique du Sud : Townships Toxiques" de Martin Boudot by the French National Television</p>

