From: **Rashid Sheik Omar** rash.za786@gmail.com
Subject: Fwd: Fw: Noise and Air Pollution
Date: 23 January 2026 at 14:21
To: rashid@southafricantollagency.co.za

Response from LAWFORYOU to PPC

---------- Forwarded message ---------
From: **Sphe Sibeko** <walters@lawforall.co.za>
Date: Fri, 23 Jan 2026 at 11:50
Subject: Fw: Noise and Air Pollution
To: Kevin.Ross@ppc.co.za <Kevin.Ross@ppc.co.za>
Cc: Arthur Ndindani <arthur.ndindani@ppc.co.za>, Rashid Sheik Omar <rash.za786@gmail.com>, Dave Miles <Dave.Miles@ppc.co.za>

Good day Mr Kevi Ross

I hope that you are fine and doing well. I have noted your correspondence that you have sent to our client herein.

I will engage you in relation to the facts that you have raised to which you need clarity in relation to the matter in question.

We initially brought this matter to your company PPC on the **1st of September 2025** last year and stated very much properly what our concerns were on behalf of our client. We communicated this matter to your office management and who attended to my **Mr Arthur Ndindani** who is known as a General Manager, to your company.

We wish to firstly state that we are the lawfully authorized legal representative and legal advisors on behalf of our client who holds an **ABSA LEGAL** insurance policy, underwritten by ABSA INSURANCE.

Kindly peruse the forwarded email to you showing that the matter was way long brought to your office through your general manager herein. Kindly read the email and study the contents of the matter in question.

To summarize the matter for your attention :

Our client instructed to lodge this formal complaint regarding the ongoing and severe nuisance caused by the operations of Mining Company PPC. Despite our client's previous good faith attempts to engage with your company directly, specifically through his communication addressed to your office, the situation has not only persisted but has deteriorated, with no meaningful response or remedial action taken. This email serves as a formal notice of grievance and a demand for immediate and substantive action.

1. Particulars of Complaint:

Our client's quality of life, health, and peaceful enjoyment of his property are being severely and unlawfully impaired by the following:

a) Excessive and Unbearable Noise Pollution:

The operations generate continuous, intrusive, and excessive noise from heavy mining machinery, equipment, blasting (if applicable), vehicle movements, and processing activities.

This noise occurs daily, commencing from early morning hours and often continuing into the evening, and at times, throughout the night.

The noise levels far exceed acceptable residential limits, constituting a statutory and common law nuisance. It disrupts sleep, prevents normal conversation within our client's

home, causes constant vibration, and creates an environment of perpetual disturbance.

b) Significant Air Pollution:

The mining activities generate substantial dust and particulate matter that permeates the air.

This pollution is visible and tangible, settling on our client's property, infiltrating his home, and posing a demonstrable risk to respiratory health.

The emission of fumes and other pollutants from machinery and site processes further contaminates the air, contributing to the overall hazardous and unpleasant environment.

2. Impact on Our Client:

The cumulative effect of this noise and air pollution is profound. It has caused our client:

Chronic sleep deprivation and associated stress.

Inability to enjoy his property or maintain normal domestic life.

Anxiety over potential long-term health consequences from sustained particulate inhalation.

A significant devaluation in his property's amenity and likely its market value.

3. Legal Basis:

Your company's operations, as described, constitute a actionable **nuisance** under common law, unreasonably interfering with our client's use and enjoyment of his land. Furthermore, they appear to be in breach of statutory regulations governing **environmental protection, air quality standards, and noise control** as stipulated under the **Environmental Protection Act and Mines and Minerals Act.**

Furthermore , Mr Ndindani sent us an email in which is attached to this email for your attention. The letter was sent to our office on the 17th of September 2025. The letter has been responding to our client's complaints in relation to the nature of this matter. Mr Ndindani stated very well and articulated that your office does have the assessments reports as well as inspection reports showing that the mining company has been compliant with the regulations and mining protocols that regulate the issue of noise pollution.

Paragraph 7 of this letter from Ndindani reads as follows :

7. Way Forward

Without prejudice to our rights, defences and remedies in law, and in the spirit of constructive and good faith engagement, PPC is prepared to:
8.1.
provide your office and client with independent monitoring reports for dust, noise, and vibration;
8.2.
continue with transparent and independent assessments through accredited consultants; and
8.3.
convene a technical site meeting with your client and experts to review monitoring results and consider reasonable remedial measures if substantiated.

It is for thus reason why we needed to mediate this matter further with your office. We

request that you adhere and comply with what you have stated on this quoted paragraph above.

Mr Ndindani failed and neglected to provide us with such reports. We conducted a telephonically communication with him dated **14th of November 2025** in which he advised that he had escalated the matter with your legal department. We provided him with proper time to update us with the feedback and response from your legal department; however , no update or progress report was provided for.

We further requested him to provide with the details of the legal department or the proof of correspondence showing that matter was brought to the legal department , he refused. No valid reason why was given. He could not engage us further with this matter without referring the matter to the legal department.

The pictures as well as videos shared by our client to your email , these were taken from his property which is nearer or adjacent to your mining company PPC herein. This is the demonstration of what transpires about the unbearable noise and air pollution that affects his property rights. **This is a clear *Res ipsa loquitur* matter.**

Demand for Action:

We hereby demand, on behalf of our client, that PPC immediately:

Cease all operations causing the nuisance pending the implementation of effective controls.

Conduct and disclose an independent environmental and acoustic impact assessment.

Implement all necessary and best-available mitigation measures to immediately and permanently reduce noise and dust emissions to within legally permissible limits for a residential area.

Provide our client with a detailed remediation plan and a clear timeline for its execution within **fourteen (14) days** of the date of this email.

Regards
Walter Sibeko
LAW FOR ALL

LIPCO LAW FOR ALL

Walter Sibeko
Legal Professional

walters@lawforall.co.za T

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From: Sphe Sibeko <walters@lawforall.co.za>
Sent: Monday, September 1, 2025 7:03 PM
To: Mary.Molaodi@ppc.co.za <Mary.Molaodi@ppc.co.za>; Shadrack.molawa@ppc.co.za <Shadrack.molawa@ppc.co.za>
Cc: contactus@ppc.co.za <contactus@ppc.co.za>; rash.za786@gmail.com <rash.za786@gmail.com>
Subject: Noise and Air Pollution

OUR REF : **C6748-7-2025**

Good day

We act as legal advisors and mediators on behalf of **Mr Rashid Sheik Omar** (hereinafter referred to as “our Client”) who holds an **ABSA LEGAL** insurance policy, underwritten by ABSA INSURANCE. We confirm that we have been instructed by our client to direct this letter to you.

It is our instruction that our client resides at Christoburg , Centurion. Our client further reported that his main primary place of resident is located 800 matters away from the Mining company **PPC Laudium Quarry**. Our client reports that he has been affected by the noise and also air pollution that stems from the operations of the mining comp nay herein.

It is our instructions that our client have been adversely and negatively affected by the noise that comes from the ***machinery, equipment and tools*** operated by the mine. Our client has experienced respiratory issues, increased allergies, and other health complications that can be traced back to poor air quality. Additionally, the environmental consequences of such pollution are concerning, it affects local wildlife and vegetation, further degrading our natural surroundings

Our client has also reported that the noise that comes from the mine has been affecting his wellness and also his sleep at night. It is for this reason that the said noise caused sleeping disturbances.

Our client has also sent and shared the images as well as the sounds through records showing the said pollution as well as the disturbing sounds that affect the peace and order from his place of residence herein.

By law the ***Mine Health and Safety Act (MHSA)*** mandates strict adherence to a Code of Practice (COP) for all mining operations. The above Act not only requires the companies to make preventative noise measures for its workers but also mandates the company to prevent noise from affecting other stakeholders including homeowners in the surrounding

areas where mine is in close proximity to the private residences.

Our client had been sending numerous and several emails requesting meetings and also intervention from the management of the mine, but he had not been responded to.

This was a means of mediating the matter with the mine and also finding an amicable solution for both parties , unfortunately our client could not get response ; hence he diverted into legal assistance with the matter.

We request that the ***noise be minimized*** within the area in line with the regulations and laws regulating the mining industry in accordance with MHSA law

Failure to adhere to our request will lead to the matter being resolved through formal legal channels herein.

Regards

Walter Sibeko

LAW FOR ALL

