



EXHIBIT HH 6

AFFIDAVIT & ANNEXURES

OF

**ALBERT DOCTOR
RADEBE**



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE
CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING
ORGANS OF STATE**

STATEMENT

I, the undersigned,

ALBERT DOCTOR RADEBE

states as follows:

1. I am a major male farmer conducting my business at Geluk Farm situated at Ascent Vrede District.
2. I have been approached by investigators associated with the Commission of Inquiry into Allegations of State Capture, Fraud and Corruption in the Public Sector and certain Organs of State ("the Commission"). I was requested to provide information as to my knowledge relating to Estina (Pty) Ltd (Registration No. 2008/015033/07) ("Estina") and the Vrede Integrated Dairy Project ("the dairy project/dairy farm").
3. During or about 2012 I was a member of the council of the local Phumelela Municipality ("Municipality"). In this regard I recall attending a Municipal Council ("Council") meeting in or about June 2012. At this meeting the then MEC for Agriculture, Mr Mosebenzi Zwane ("Mr Zwane"), who was accompanied by Mr Peter Thabethe ("Mr Thabethe") and Ms Seipati Dlamini ("Ms Dlamini"), requested that the Council meeting be postponed

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by two hours as they wanted to deliver a presentation to the Council.

4. The reason for Mr Zwane's request to address the Council, as I understood it, was for purposes of facilitating the transfer of 4,400 hectares of a certain agricultural land owned by the Municipality in Vrede, to the Free State Department of Agriculture ("the Department") for the purpose of establishing a dairy farm. Council had just leased the same land to local commercial farmers for a period of 3 years. Mr Zwane and his officials told Council that they would pay off the commercial farmers and lease the land from the municipality at market rates. The rate at that time was approximately R1 000 000.00 pa.
5. Mr Thabethe, the Head of Department who accompanied Mr Zwane, supported Mr Zwane's presentation and said that the Department had budgeted R400 000 000.00 for this project. He also informed Council that there would be BEE beneficiaries, approximately 100, who would receive a 51% shareholding in the project. In addition, they said that Estina (Pty) Ltd, an entity that was in partnership with Paras would inject funds of approximately R500 000 000.00 into the dairy project.
6. From the content of the discussion it appeared that the decision to establish the dairy farm had already been made, that the project was already on the go, and that this was mere formalisation of the issue at hand.
7. We were pertinently told that this project would be a R100 million a year

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project and that it would benefit and uplift the community of Vrede and its surrounds and that the total project cost would exceed approximately R900 million.

8. I was not supportive of the dairy farm project since the details provided by Mr Zwane and his officials appeared sketchy at best, as no budget or business plan for the dairy farm project was presented to Council, and no feasibility study had been conducted. There was also nothing documented. We were simply provided with an oral presentation.
9. In addition, I was aware that there had originally been approximately 30 dairy farms within the Phumelela municipal boundry. Now only 3 continue to exist.
10. In addition, there was no milk processing plant in Vrede. The milk processing plant that had been in Standerton (approximately 50 km away from Vrede) had been relocated to Harrismith, which is about 110km from Vrede. Frankfort, which is about 80km away from Vrede, also had a milk processing plant.
11. The Mayor, Mr John Motaung ("Mr Motaung") was highly supportive of the Dairy Farm proposal. My take on his support was that him and Mr Zwane were very close, one could say close like brothers.
12. Representing the Democratic Alliance ("DA") was myself and two other members. Despite our objection to the proposal we realised that we were

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vastly outnumbered by the members of the majority party, and as such our opposition to the project would be in vain. In the result, the members of the DA decided not to participate in resolving the issue. A resolution was subsequently passed by Council, allowing the Department and Estina to use the municipal land to develop dairy production facilities in Phumelela, attached hereto is a copy of the resolution, marked as annexure “**ADR 1**”.

13. My further understanding of what transpired is that when the Department sought a legal opinion on whether land could be leased to it, the response they received was that the Municipality could not benefit or lease the land to the Department. The land was subsequently leased to the Office of the Premier in the Free State for 11 years. The Premier Office's in turn leased it to the Department who subsequently leased it to Estina for 99 years. As far as I can recall, the municipality did not get any payment on that lease from the Department.
14. After being informed of the fact that several dead cattle had been dumped next to the stream which provided drinking water to the town of Vrede, I went to the area where they had been dumped, confirmed these facts for myself and reported this to the press. After the publication of this matter by the press, the proprietors of the Farm covered the dead cattle with soil. I thereafter took a decision to notify the environmental authorities. The environmental authorities informed the owners of the farm to remove the carcass and go bury them on the farm and this is indeed what transpired.
15. In my view, the people who were in charge of the operations at the dairy

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farm knew nothing about farming dairy cows. This, in my view is the reason those cattle died.

16. After the expose by the press, the management at the dairy farm placed security guards at the entrance gate, thus preventing the public from accessing the dairy farm.
17. As a result of my activities I found myself becoming the target of a group of enforcers employed by the Department of Agriculture in Vrede, namely Mr Thuto Kganye, Mr Khulyza Sibeko, Mr Bongani Radebe and Mr Dinga Dinga, so as to ensure the success of the project.
18. These individuals eventually became well known as enforcers of Mr Zwane's policies in and around Vrede and more particularly relating to the Vrede Dairy project.
19. I have been attacked physically by the abovementioned group. They assaulted me with fists and pepper spray and I was informed that this was because I was against the policies of the ANC and the success of the dairy farm, that they were acting in protection of the ANC.
20. I attempted to report the matter to the South African Police Services in Vrede. The officials (including the now station commander, Mr Xhasa) informed me that I was not allowed to open a case since this related to political activities and that I would be required to wait for members from the Bethlehem police services to attend to me for purposes of opening a case. Suffice to state that no one from the South African Police Services

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ever contacted me in this regard, nor was I ever provided with a case number.

21. The attacks of these individuals who had substantial influence in the Department of Agriculture was so bad that I was continually refused access to the State Vet.
22. As a farmer, this resulted in a situation where my cattle had a disease that was wreaking havoc in my herd and I was not allowed to get access to the State Vet for purposes of assisting me in determining what the disease was. By this time, I had lost approximately 45 head of cattle. I was eventually able to obtain a contact number for the State Vet who helped me rather kindly and we were immediately able to diagnose the disease my cattle were suffering from and to stop the unnecessary deaths.
23. This is all I wish to declare at this stage.

Dated and signed at *VREDE* on this *26* day of June 2019



ALBERT DOCTOR RADEBE

C. OFFICIAL ANNOUNCEMENTS

NONE

D. MOTION OF SYMPATHY AND CONGRATULATION

NONE

ITEM 309/2012

RE: PRESENTATION REGARDING VREDE INTEGRATED DAIRY PROJECT

The Speaker gave the Mayor the platform whilst waiting the MEC to arrive. The Mayor welcomed the delegation and appreciated the implementation of the project as announced by the Premier. Mr Thabethe the (HOD) for rural development will be making the presentation regarding the project. The project is called Vrede Integrated Dairy project and the name might change if the need be. The Department is thinking of doing something in Warden in celebration of its centenary. The project is a result of collaboration between the Department, Estina a South African company and PARAS an Indian Company. The objectives of the project is job creation and improve economic growth. India is the highest milk producer in the world. PARAS is one of the leading milk processing plants in India. 1000 cows will be used for the dairy (500 in Dairy and 500 cows will be donated to the community, 100 community members to receive 5 cows each. Milk suppliers to be paid for their milk. Then after five years every beneficiary will be asked to give back five calves. initial processing capacity of the factory to be 100 000 litres per day. The products to be branded Mohoma Mobung. Celebrities and soccer icons to be used as brand ambassadors. Milk will be supplied to Hospitals and Schools. A dairy will be the first phase of the project and the factory will follow. Phumelela will have 4% shareholding, beneficiaries 51% and 49% to Estina and PARAS. The Municipality will decide on the utilization of 4%. The total costs of project will R500 million(R517 million including VAT). The Government will fund the establishment of dairy. PARAS/Estina will fund the processing plant.

RESOLVED

1. That Council note the content of the report on this item.
2. That the project be accepted and supported.
3. That the administration and the HOD(Agric. And Rural Development) draft resolutions that will be adopted by Council before the end of next week.

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ITEM 325/2012

RE: NOTICE OF MOTION REGARDING THE SPILLAGE IN WARDEN WAISTE WATER TREATMENT PLANT

RESOLVED

1. That Council note the content of the report on this item.
2. That the Municipal Manager must inform DWA that there is a progress regarding the matter in terms of the report received from the appointed contractor and engineer.
3. That a report regarding the implementation of the project from phase one until now be submitted in the next Exco meeting.
4. That an Attorney be appointed to deal with the case at High Court and if possible negotiations be conducted to reach an out of Court settlement regarding the case.
5. That Exco member be inform on daily bases regarding the progress on the matter.

ITEM 326/2012

RE: LETTER OF CONCERN RECEIVED FROM COMMUNITY MEMBERS OF ZAMANI/MEMEL

RESOLVED

1. That Council note the content of the report on this item.
2. That the administration should report to the letter and provide the Mayor with a report.
3. The Council will then meet the people once the report is available.

ITEM 327/2012

REGULATED DAIRY AGRI-BUSINESS PROJECT

RESOLUTION NO. 01- of 19 June-2012

RESOLUTION ALLOWING THE DEPARTMENT OF AGRICULTURE AND ESTINA PTY LTD / PARAS DAIRY COMPANY TO USE MUNICIPALITY LAND TO DEVELOP A DAIRY PRODUCTION FACILITIES IN PHUMELELA LOCAL MUNICIPALITY, FREE STATE PROVINCE

The Department of Agriculture has requested that the PHUMELELA LOCAL MUNICIPALITY adopt a resolution allowing for the ownership and operation of a dairy production facility by ESTINA PTY LTD / PARAS DAIRY COMPANY within the municipality owned agricultural land, because doing so would promote and stimulate economic growth and development within the Municipality; and

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WHEREAS, the Council believe it is in the best interests of Municipality and its citizens that dairy production facilities be allowed to be developed in Phumelela, by ESTINA PTY LTD / PARAS DAIRY COMPANY, and

WHEREAS, the Council take note that the Municipality will hold a stake of four percent (4%) shareholding in the business for the use of the Municipal Land which will be used for the development of infrastructure of different forms in the municipality.

NOW, THEREFORE, BE IT RESOLVED that for purposes of this Resolution, the term "Dairy Production Facility" shall be defined as follows: 'Dairy Production Facility' means the land, structures and related equipment used for housing & breeding & raising & feeding or milking dairy cows. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid waste and for isolation of the facility to reasonably protect the confined cows from exposure to disease.

BE IT FURTHER RESOLVED that for the purpose of this Resolution, the term "agricultural land" shall be defined as follows: 'Agricultural land' means land suitable for use in farming.

BE IT FURTHER RESOLVED, that ESTINA PTY LTD / PARAS DAIRY COMPANY are hereby permitted to USE the 4,400ha of agricultural land located in Phumelela Local Municipality, for use in conjunction with a dairy production facility.

BE IT FURTHER RESOLVED, that the Municipal Manager is directed and empowered to publish this Resolution and this Resolution shall take effect thirty (30) days after final publication, unless a valid petition in opposition to the same is filed in accordance with Municipal by laws.

IN WITNES WHEREOF, the above and foregoing Resolution was unanimously adopted on this 19TH day of June, 2012.

AS