

**SAMIN GROUP PTY LTD PROSPECTING RIGHT APPLICATION WITH
BULK SAMPLING ON UNSURVEYED STATE LAND 440MT & 442MT,
AREA OF GUMBU / MASISI, MAGISTERIAL DISTRICT OF MUSINA,
LIMPOPO PROVINCE**

SCOPING AND EIA PROCESS

PUBLIC MEETING WITH AFFECTED COMMUNITIES OF PROSPECTING RIGHT
AREA TO FACILITATE COMMENTS ON THE DRAFT EIR & EMPR & PRESENT
FINDINGS OF EIA STUDY

MINUTES OF PUBLIC MEETING

MEETING DATE	29 June 2018
VENUE	Gumbu Primary School, Gumbu
TIME	14:00HRS – 16:00HRS

Attendees:

Naledzi Environmental Consultants CC (NEC) – Desmond Musetsho (DM)
 Naledzi Environmental Consultants CC (NEC) – Marissa Botha (MB)
 Naledzi Environmental Consultants CC (NEC) – Thendo Matsenene (TM)
 Naledzi Environmental Consultants CC (NEC) – Sithabisiwe Ncube-Gari (SNG)
 Naledzi Environmental Consultants CC (NEC) – Aluwani Nembahe (AN)
 SAMIN Group Pty Ltd (SAMIN) – Caroline Mulaudzi (CM)
 SAMIN Group Pty Ltd (SAMIN) – Uys Elmer (UE)
 SAMIN Group Pty Ltd (SAMIN) – Ronald Ramukhadi (RR)
 Musina Local Municipality (MLM) – Mercy Matodzi (MM)
 Musina Local Municipality (MLM) – MR Makheda (MRM)
 Vhembe CPA Chairperson – M.S Mudzweda
 Vhembe CPA Treasurer – LD Mpondo (LDM)
 Vhembe CPA Members
 Gumbu Mining Committee
 Gumbu Royal Family – Tambudzani Gumbu (TG)
 DA Ward Councillor – MJ Mariba (MJM)
 Richard Spoor Inc Attorneys - Sean Tshikororo (ST)
 Justice and Peace – Dzeba Shaka (DS) and Takalani Hulisani (TH)
 University of Venda – Department of Geography – Dr Ramudzuli MR
 Headman and Community Members from Gumbu, Tshenzhelani, Bende Mutale, Sigonde,
 Masisi, Tshikuyu

Refer to attached Attendance Register under Annexure A for a full list of attendees.

DISCUSSIONS

1. Agenda and Purpose of meeting:

- 1.1 DM, from NEC introduced himself as the EAP from NEC and enquired if attendees were comfortable with the meeting being facilitated in Venda after which a translation would be provided in English.
- 1.2 Attendees agreed to this method as majority of attendees were from Gumbu.
- 1.3 DM, from NEC presented the agenda for the meeting and enquired if attendees were satisfied with the agenda items. The community approved of the agenda items.
- 1.4 Mrs Ramathuthu opened the meeting with a prayer and Mr Vhulahani Munzhelele welcomed all the attendees.
- 1.5 The project team from Naledzi Environmental Consultants CC and Samin Group Pty Ltd introduced themselves to the attendees and indicated their responsibilities in terms of the project.
- 1.6 DM from NEC indicated the purpose of the meeting was to provide the community with feedback on the findings of the EIA Study and recommendations made by NEC in the EIR and more over to record comments, issues and concerns from I&APs/community. It was highlighted that the EIR & EMPR was available for public review and comment at the tribal offices of Malale, Sigonde, Gumbu, Tshenzhelani and Masisi until 11 July 2018.
- 1.7 DM from NEC highlighted that at the public meeting of 7 February 2018 NEC gathered issues to be addressed in the EIA Study which have now been addressed in the EIR& EMPR report.

2. Naledzi Environmental Consultants Independent EAP for Project

- 2.1 DM from NEC explained Samin lodged an application for a Prospecting Right in November 2017 to the DMR. Before Samin can prospect the DMR must either approve or reject the application. To help inform DMR's decision, the MPRDA and NEMA EIA Regulations require appointment of an independent EAP to undertake and manage the EIA Process as required for the prospecting right application. NEC has been appointed by Samin as the independent EAP for the project
- 2.2 DM highlighted that the EIA Study is in the last phases by which NEC has prepared finding of the EIA Study which is now available for public review and comment until 11 July 2018. The findings of the EIA Study with the public inputs must be submitted to the DMR to assist the authority in making a decision on the application.

3. Project Overview and Background:

- 3.1 CM from Samin explained the project to the community in Venda.
- 3.2 CM indicated that SAMIN will prospect for two types of Graphite and other minerals. The preferred type of Graphite would be Flex Graphite as it is 7 times stronger than steel and 100 times lighter than steel. It was explained that flex graphite is a better conductor of electricity as oppose to copper. Flex Graphite is also used in the production of car batteries and aeroplanes.

- 3.3 CM indicated that an area of 4000 hectares will be prospected. She indicated that the prospecting activities would mainly focus on the old Graphite Mine and later continue to the other target areas.
- 3.4 CM indicated the prospecting programme will be undertaken over an 18 month period.

4. Status Quo of EIA Process and EIR & EMPr for public review:

- 4.1 DM indicated that the SAMIN prospecting application triggers a full Scoping and EIA Process since the prospecting programme will include bulk sampling.
- 4.2 DM explained that the authorising authority for the application is Department of Mineral Resources (DMR) which can either reject or approve the application. The application may be rejected based on the sensitivity of area.
- 4.3 DM recapped on the EIA Process undertaken to date and highlighted that after the 7 February 2018 public meeting public inputs were consolidated into the Scoping Report and submitted to the DMR for approval, which was granted on 28 February 2018. In March to April 2018 site investigations and specialist studies were undertaken for the project site. The findings of the site investigations and specialist studies have now been consolidated in the EIR& EMPr currently out for public review.
- 4.4 DM explained to the attendees that NEC advertised the availability of the report in the Limpopo Mirror on 8 June 2018 and sent out notification letters to headman, Vhembe CPA in this regard. Reports have also been placed at the tribal offices of the different villages.

5. Findings of the EIA Study and Recommendations by the EAP:

- 5.1 DM from NEC highlighted to the attendees that MB from NEC would present the findings of the EIA Study in English and would thereafter be translated in Venda.
- 5.2 MB from NEC highlighted that the application area is a declared nature reserve and military restricted area. Both the Protected Areas Act and Defence Act prohibit prospecting on the site.
- 5.3 MB stated that the SANDF claims the area is not safe for civilian activity or prospecting activities. SANDF indicate they have only swept the surface for unexploded ammunition down to 1 metre below ground level which is suitable for agricultural activities. For prospecting the area needs to be cleared sub surface to 4 metres below ground level. NEC recommends that target areas first be inspected and made safe before prospecting targets can be pursued.
- 5.4 MB stated there are unmapped wetlands, forests in the north eastern section of the study site deemed highly sensitive and which drains to the Makuleke Wetlands in the Kruger National Park. To avoid impact on the Ramsar site this area will be regarded as a no-go area for prospecting. It means no activity may take place there, it must be protected.
- 5.5 MB highlighted that the Limpopo River, its riparian zones and its wetlands are all of high sensitivity, also to be regarded as no-go zones. A 50m bufferzone will be upheld from these ecosystems. It was further stated that hills and ridges are of high sensitivity and that prospecting footprint areas need to be limited to a minimum in these areas;
- 5.6 MB pointed out that there are several protected tree species onsite namely Baobab, Shepard's Tree, Leadwood, Apple-Leaf and Marula which need to be avoided during

prospecting. If this is not possible Samin would need to apply for permits for removal of the trees from DAFF.

- 5.7 It was highlighted that no plants of conservation concern are likely to occur onsite but Birds of high conservation concern are likely to occur such as Vultures, Raptors, Storks and Kingfishers. Nests may need to be relocated when found at target areas before any vegetation clearance. Several mammal species such as Elephant, Hyena, Leopard and probably also Lion could be present onsite.
- 5.8 It was stated that a rare Butterfly 'Lilac Tip' has been observed onsite and colonies of Baboon spiders also be present.
- 5.9 MB explained that each target area selected for prospecting will need to be inspected for species of concern and translocation need to be undertaken by a specialist and damage to protected trees must be avoided, specifically Baobab must not be damaged.
- 5.10 MB stressed that the self-generating potential of vegetation in the project area is low hence disturbance must be restricted to a minimum. Concurrent rehabilitation must be implemented continuously.
- 5.11 MB highlighted that a Heritage Impact Assessment was done for the study site. The specialist found several site of significance ranging from graves, stone walled sites, historical homesteads, sacred river pools and trees where rituals were preformed. There are old shafts, excavated trenches, building foundations which are protected by the Heritage Act at the old graphite mine. If the sites are to be affected these must be documented and permits must be obtained from the heritage authority.
- 5.12 All the identified sites have been mapped according to the target areas. The target areas are located away from the heritage sites except for the old graphite mine. Impact on heritage sites must be avoided at all times during prospecting.
- 5.13 MB highlighted that NEC did not have access to the eastern section of the study site as the area is restricted. There may be stone walls and grave sites on top of one of the rocky outcrops within the military corridor. Overall prospecting must avoid all heritage sites.
- 5.14 MB explained that the prospecting activities will result in some nuisance impacts namely dust and noise, yet the impact would be low and of short duration. It was further highlighted that the prospecting crew would require water for the site camp and for drilling operations. The crew is proposing to draw water from the existing boreholes at the villages for these purposes.
- 5.15 DM from NEC translated the findings in Venda to the community and used an aerial image sensitivity map of the project site to explain the areas of sensitivity as indicated in the EIR&EMR.
- 5.16 MB from NEC thereafter highlighted that NEC's recommendations for the project are that prospecting is viable from an environmental and social perspective as long as strict measure are implemented to protect delineated sensitive areas and to control any pollution. The project would also be economically justifiable if it can be proven that a mineral resource can be optimally mined at the application area.
- 5.17 MB stated NEC is aware of the lack of economic activity in the area and much need job opportunities. The project would be positive for the community.
- 5.18 But, the community was informed that due to legal provisions in terms of the Protected Areas Act and Defence Act it is not possible to prospect or to mine in the area.

Only if the provisions of the acts are altered and a mutual agreement can be reached between the DMR, LEDET and the Minister of Defence would Samin be able to prospect.

5.19 MB explained that although these are the findings of the EIA Study, NEC does not determine if the project should be approved or not this mandate lies with the DMR. DMR must decide whether to approve or to reject the application.

5.20 DM explained that an EIA Study must find the balance between the environment and socio-economic development. The needs of the SANDF, Kruger National Park, the Environment and Community must be weighed. Ultimately the mandate is to allow sustainable economic development to take place. These factors would need to be weighed by the DMR for the application.

5.21 CM from Samin explained that it had approached the LEDET through a meeting in Polokwane on 26 April 2018 to try and address the issue of the protection status of the application area. Samin have already submitted a request in which the department must motivate why this area is protected. The SANDF are conducting live training, shooting vegetation, impacting the bush and also detonating large ammunition which impact the environment. Samin raised the issues as to how the SANDF can conduct these activities in a protected area yet prospecting is prohibited in the area. Samin is of the submission that the land now belongs to the community and this would be able to motivate for its de-proclamation to allow prospecting and mining as a land use.

6. Discussion Session:

6.1 DM from NEC welcomed questions, comments and queries from the attendees. Refer to 5.2 in table format, overleaf for comments raised during the public meeting and associated responses.

6.2 DM highlighted that attendees must state their name before raising a comment so the team can record the issue to a name.

7. Photographic Proof of Public Meeting



Figure 1: Photograph of the project team present at the public meeting (Naledzi, 5 Samin Group) at Gumbu Primary School



Figure 2: Photograph taken of Marissa Botha and Desmond Musetsho from Naledzi recording comments raised by community members at the public meeting



Figure 3: Photograph of Desmond Musetsho from Naledzi translating comments made by community members Venda to English

8. Way Forward & Closure:

8.1 DM from NEC explained to the community that all the comments and concerns raised at the public meeting have been recorded and will be included in the final EIR& EMPr submitted to the DMR for decision making. The DMR will make a decision in 107 days from the report submission. We can expect a decision from the authority in November 2018. NEC will communicate the decision to the community and all registered I&APs

8.2 DM highlighted to the community that should the DMR reject the application on the grounds of the legislative provisions, they would have the opportunity to appeal the

decision. It is evident from the meeting that the community is in favour of the prospecting activities at the application area.

8.3 DM asked the attendees if they understood the EIA Process, the details of the findings of the report and also if they understood what would follow after the meeting. It was also confirmed that the attendees would receive a notification once the decision is reached. Attendees confirmed and understood.

8.4 DM thanked everyone for attending.

8.5 Mrs Ramathuthu closed the meeting with a prayer at 16:00hrs.

Refer to 5.2 in table format overleaf, which contains comments and issues raised at the meeting with associated responses.

5.2 Comments and Responses recorded at the Public Meeting of 29 June 2018			
NO	Comment	Commenter	Response
5.2.1	<p>Why did no one come forward with these issues when the Land Claim for the Madimbo Corridor was gazetted? The SANDF hired contractors to sweep the area of any dangerous unexploded ammunition. How can it still be said that the area is unsafe for civilian activity?</p>	D. M Luvhimba	<p>MB from NEC responded the military did sweep the area in 2012 but only on the surface not below surface. Prospecting activities would venture below surface. There is a risk of unearthing these unexploded ammunition during prospecting. The SANDF states for the area to be safe for prospecting it needs to be cleared down to 4 metres below ground level. Even then it cannot be guaranteed that the area is safe.</p>
5.2.2	<p>Why is the SANDF indicating the area must be swept down to 4 metres below ground level? Who informed NEC of this requirement and for what reason? The SANDF is conducting training on the eastern side but what about the western side?</p> <p>What is the condition of the Makuleke wetland? How does this wetland benefit the community?</p>	A. Siphuga	<p>MB from NEC repeated the clearance requirements to allow prospecting and that the SANDF informed NEC through a focus group meeting on 12 February 2018 and through written submissions. The equipment that were used during the sweeping of the ammunitions couldn't allow them to sweep as deep as 4 metres from the ground.</p> <p>Currently the SANDF is conducting training within the entire military corridor.</p> <p>The Makuleke Wetland is an internationally protected wetland, a Ramsar site. It is in a good condition. It is not located on the application area but next to it in the Kruger National Park. The unmapped wetlands and forest in the north eastern section of the site drain to this wetland. Therefore to avoid impact such as siltation or any potential spillages no prospecting can be undertaken in the north eastern section of the application area. But only 1 target area was located in this part of the project site. It has been omitted from the site plan. The main target for prospecting is located at the old Graphite Mine.</p>

5.2.3	<p>We have allowed the soldiers on our land, but we do not want them here anymore.</p> <p>How will the graves be protected during prospecting?</p> <p>Samin Group must pay the leadership royalties when they start mining at Gumbu.</p>	Oscar Ramphabana	<p>Noted.</p> <p>MB from NEC responded that the Heritage Impact Assessment recommends that heritage sites are avoided. The fact that these have been identified and mapped in relation to the target areas already creates awareness. There locations have been documented in the EMPR for the project. The prospecting crew would need to uphold a 50 buffer zone from heritage sites. Secondly it is recommended that the heritage specialist first scan the target areas for prospecting to ensure that no damage is to come to the identified sites.</p> <p>CM from Samin noted the comment.</p>
5.2.4	<p>There was a graphite mine here at Gumbu some years ago. How where they able to mine at Gumbu then? Where did the mine source its water from then? It sounds as if the environmental team is giving the SANDF more attention than the community.</p>	Itani Phaswana	<p>MB from NEC responded that the old Graphite Mine was operated from 1942 to the 1970's. Back then the land was not proclaimed as a nature reserve. The nature reserve was only proclaimed in the 1990's. Now that the prospecting activities are proposed the land is a proclaimed nature reserve. It was further explained that the mine pumped water from the Limpopo River via a pipe and pump system.</p> <p>Please note we are independent and these are legal provisions relevant to the application area. This is not determined by the environmental team. We are merely putting the facts forward.</p>
5.2.5	<p>The Defence Force has been on the land for a long time. What has the SANDF done for the community so far? How do we benefit from them being on our land?</p>	Lucky Makamu	<p>MB from NEC responded that the SANDF still has a long term lease agreement on the land. The intention of the SANDF is to continue training within this area yet on the eastern section of the site. The community will benefit from a lease agreement between the Vhembe CPA and the</p>

			SANDF.
5.2.6	Naledzi must include the community when they meet again with the SANDF. The community is in need of job opportunities. We want to talk to the SANDF. They must not stop this project. There are no more bombs on site, we were part of the team which swept the ammunitions on the area with our bare hands. The only sensitive environmental area that we know around is the Vhasikana water well.	A.C Mudau	DM from NEC noted the comment and pointed out that the public participation process is open to anyone to participate. The SANDF requested a meeting with NEC in Polokwane to raise their issues of concern as they were not able to attend the public meeting of 7 February 2018. They are also invited to all the same meetings as the community and vice versa.
5.2.7	We started this land claim we know all the trials. Invite whoever denies us and we can go to the Constitutional Court. We know about the Rhinos that are being stolen. We claimed this land (27000 hectares) we know everything.	M Mudzweda	Noted.
5.2.8	What will benefit the community more? The SANDF on our land or by having a mine on our land? Naledzi EIA reports should motivate the benefits that the community will get from the mine. We need the job opportunities from this proposed mine.	Brian Nelunguda	Noted.
5.2.9	The Department of Public Works is stepping on breaks. This is our land.	Rosina Munyai	Noted.
5.2.10	There has always been a mine here at Gumbu. The soldiers are allowing illegal export of things. What are they doing?	Takalani Gumbu	DM responded NEC cannot comment on this issue.
5.2.11	The SANDF should not trouble us. They can move off our land anytime. The mine shafts will definitely avoid the protected trees.	Johannes Gumbu Headman of Gumbu	Noted.
5.2.12	We want this mine to be opened. The SANDF must go away from this land.	NW Gumbu	Noted.

	Why does the SANDF not clear the bombs from the area? Let the SANDF sweep the area for the bombs.		
5.2.13	Next time, let us invite more people to the meeting.	Councillor Mariba (DA)	DM from NEC responded that the entire area was notified of the meeting through the advertisement in the Limpopo Mirror on 8 June 2018. All the headman were notified and we placed site notices in the area. Due process has been followed to inform the communities of the project. Remember this is a prospecting application not a mining license. For now the public inputs would be incorporated into the EIR& EMPR and submitted to the DMR for decision making.

ANNEXURE A
Attendance Register