

**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**

EIA PHASE – PUBLIC PARTICIPATION PROCESS

FOCUS GROUP MEETING BETWEEN LIMPOPO DEPARTMENT OF ECONOMIC
DEVELOPMENT, ENVIRONMENT & TOURISM (LEDET), SAMIN GROUP PTY LTD
AND NALEDZI ENVIRONMENTAL CONSULTANTS

MINUTES OF LEDET FOCUS GROUP MEETING

MEETING DATE	26 April 2018
VENUE	Naledzi EC Offices, Polokwane
TIME	12:00HRS – 13:30HRS

Attendees:

Name & Surname	Position	Abbreviation
Samin Group Pty Ltd		
Elmer Uys	Director	EU
Willie Uys	Director	WU
Caroline Mulaudzi	Director	CM
R Ramukhadi	Director	RR
Vhembe Communal Property Association (VCPA)		
R.T. Rambiyana	Member	RTR
Naledzi Environmental Consultants CC (NEC)		
Desmond Musetsho	Environmental Assessment Practitioner	DM
Sithabisiwe Ncube-Gari	Environmental Assessment Practitioner	SN
Limpopo Department of Economic Development, Environment & Tourism (LEDET)		
Christiaan Visagie	Manager: Protected Areas Section	CV
REFER TO ANNEXURE A FOR THE SIGNED ATTENDANCE REGISTER		

DISCUSSIONS

1. Opening & Introductions:

- 1.1 RR from Samin opened the meeting with prayer;
- 1.2 All attendees from Samin, VCPA, NEC and LEDET introduced themselves.

2. Purpose of the meeting:

- 2.1 DM from NEC indicated that the purpose of the meeting is to bring Samin and LEDET together to discuss the concern raised regarding the prospecting right application lodged by Samin Group within a proclaimed nature reserve. NEC has been appointed as the

independent EAP to conduct the EIA Study in support of the Prospecting Right Application. NEC has shared the EIA Study documents with government departments and some issues have been raised by SANDF and LEDET regarding the application area being a proclaimed nature reserve. As a result Samin has requested this meeting with LEDET to understand the implication of the issue.

- 2.2 DM from NEC provided background to the project, the EIA Process and the issues that have been raised by SANDF and LEDET.
- 2.3 CM from Samin indicated it wants to obtain a comprehensive understanding of the status of the application site and situation from LEDET's point of view.
- 2.4 CM added that Samin wants to determine when the site was proclaimed and why is the site in its current state if it's a proclaimed nature reserve.
- 2.5 CV from LEDET stated that Lt Col Hennie Davel from the SANDF informed LEDET regarding the prospecting right application lodged against the proclaimed area. SANDF enquired if LEDET was aware of the application to prospect in the area. LEDET communicated the proclamation to NEC.

3. Discussion and way forward:

- 3.1 CV from LEDET explained the only avenue available to Samin to prospect or mine the application area is to de-proclaim the nature reserve. The MEC of LEDET is the only person mandated to de-proclaim a nature reserve. Samin would need to convince the MEC to de-proclaim the project area continue its proposed prospecting activities.
- 3.2 CV indicated the he is not aware how the area is managed and indicated that the management of the area must be discussed with the MEC.

4. Questions and Answers:

- 4.1 RTR from Vhembe CPA asked when the land was proclaimed as a nature reserve.
- 4.2 CV from LEDET replied in the year 1983.
- 4.3 RTR from VCPA asked if the entire area was affected by the proclamation. He further stated that in 2004 the land was restored to the community to be registered to the Vhembe Communal Property Association. The CPA requested a copy of the proclamation from LEDET.
- 4.4 DM from NEC replied that the whole area is proclaimed as a nature reserve.
- 4.5 RTR from VCPA asked how the SANDF was still able to conduct its military training and activities within the proclaimed area.
- 4.6 RR from Samin asked what the implications of this proclamation would be for the VCPA if given its land back.
- 4.7 RTR from VCPA added that the land claim was already finalised in 2004.
- 4.8 EU from Samin asked the VCPA why they allowed LEDET to control their land.
- 4.9 CV from LEDET responded that all the issues raised by Samin and the VCPA should be used as motivation to convince the MEC to de-proclaim the land.
- 4.10 CM from Samin specified that in 2008 and 2011 prospecting rights were issued to a mining company to prospect the proclaimed area.
- 4.11 CM asked how it was possible for the mining company obtain these rights given the current status of the area. She added to the question and requested to know why LEDET was not raising this concern then.

- 4.12 CV from LEDET stated that the department was not aware of the application in 2008 and 2011. DMR is the competent authority who issued the prospecting right to the mining company.
- 4.13 CV requested Samin to direct these questions in writing to LEDET so that the department can provide responses from within its divisions. CV stated that he was not able to answer all of the questions posed at the FGM.
- 4.14 CV added that there were 400 proclaimed nature reserves from 1960 onward that have issued with the current land use and agriculture are an example. LEDET has got legal challenges to solve issues around the status of these areas.
- 4.15 RTR from VCPA enquired what steps LEDET took previously to address such activities within proclaimed nature reserves.
- 4.16 CV from LEDET replied that nothing was or has been done by the department regarding the verification of areas as legal opinion is still awaited from DEA (National Department of Environmental Affairs). LEDET requested assistance from the DEA yet it remains a legal battle. Fact of the matter is that the National Environmental Management: Protected Areas Act recognises these areas as protected.
- 4.17 CV from LEDET reiterated that Samin should send these motivations directly to the MEC. The MEC will request the different units within LEDET to respond. Samin has a valid argument.
- 4.18 EU from Samin added that locals in the project area are suffering due to lack of economic activities and associated lack of job opportunities. The leadership needs to come to the party.
- 4.19 CV from LEDET stated if Samin could convince the MEC to de-proclaim the area it would be beneficial to the local communities. LEDET is not against development. LEDET understands that people require job opportunities and economic development, but the department has to follow the law to protect the environment. Mr Avhurengani Malange from LEDET's Protected Areas unit was supposed to attend the meeting but had prior arrangements.
- 4.20 DM from NEC indicated that LEDET will be invited to attend the public meetings for the project to gain an understanding of the status-quo on site.
- 4.21 CM from Samin explained that; Samin was ready to fight LEDET regarding this issue yet from the engagements of the day; it is evident that LEDET is willing to give attention to the issue and help address the issue.
- 4.22 CV from LEDET clarified that the department's mandate is not solely to protect the environment but also to support sustainable economic development.

5. Way Forward & Closure:

- 5.1 CM from Samin stated that it would continue with the EIA Phase in support of the Prospecting Right Application and submit the EIA Study findings to DMR.
- 5.2 DM closed the meeting.

ANNEXURE A

Signed Attendance Register

ATTENDANCES REGISTER – FOCUS GROUP MEETING WITH LIMPOPO DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS IN SUPPORT OF A PROSPECTING RIGHT APPLICATION BY SAMIN GROUP PTY LTD IN THE MAGISTERIAL DISTRICT OF MUSINA, AREA OF GUMBU, LIMPOPO PROVINCE
(DMR REF: LP30/5/1/1/2/13050 EM)

DATE: THURSDAY, 26 APRIL 2018 FROM 12PM – 13:30PM

VENUE: OFFICES OF NALEDZI EC, 145 THABO MBEKI STR, FAUNA PARK, POLOKWANE

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Full Name	Company/Community	Position	CONTACT INFORMATION
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