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Our Reference 12-141

Your Reference Kwanyana Block

DMR Reference EC30/30/5/1/1/2/10025 PR

Public Meeting Minutes

Subject: Public/Community Meeting Minutes

Venue: Umgungundlovu Tribal Authority

Date: 2013/04/18

Time: 11:00pm

Attendance: Nolitha Nkomana (GCS)
Jessica de Beer (GCS)
Jane Mahaba (GCS)
Pat Masiase (GCS)
Andrew Lashbrooke (TEM)
Public

Distribution: GCS website (www.gcs-sa.biz) for download

ITEM

1. Welcome and opening

- 1.1. The meeting was opened with prayer
- 1.2. Mr Dlamini welcomed everybody attending and indicated that he will be programme directing the meeting. He indicated that GCS and TEM will explain the purpose of the meeting. He urged people to respect each other and their views to be respected as well.

2. Purpose of the meeting

- 2.1. Ms Nolitha Nkomana (NN) introduced the team from GCS and Mr Andrew Lashbrooke (AL) from Transworld Energy & Mineral South Africa (Pty) Ltd (TEM). She thanked the Tribal Authority (TA) for giving GCS an opportunity to hold this meeting. She indicated that this is GCS and not a TA meeting and requested for GCS to lead the meeting. She added that the procedure when a meeting has been requested is that the TA takes the lead in programme directing that meeting. She handed over to Ms Jessica de Beer (JdB).

3. Matters Arising

- 3.1. Mr. Mzamo said that when a meeting is requested from the TA, they take the lead in addressing the issues and give permission to the people who have requested the meeting. Identifying hands, [in order to allow attendees to address the meeting facilitator], is normally done by the TA.
- 3.2. Xolani Ntuli said that if people come to the TA and request something; the procedure is that the Komkhulu leads the process.
- 3.3. NN replied that she does not want this to be a dialogue. She said that she worked for the government. She explained that if government goes to a community and have requested a meeting with the people of the community, they have to follow the correct channels because one cannot go and meet with people without getting permission in that particular area. She added that you get permission through the TA, council committee and if it is needed, through the municipality. She said that she has never seen matters brought by government to the people, being led by the traditional authority. In all cases, government takes the lead and what is important is that the permission was granted for that particular person to conduct the meeting.
- 3.4. Lolo Dlamini said that NN is confused. She added that this is not the first time GCS has come here. She said that chairman of the previous meeting was Mr Ngqomonda. Maybe you have changed and now you are not GCS.
- 3.5. NN said that she is withdrawing.

ITEM

- 3.6. JdB introduced herself and the GCS and TEM team. She explained that NN would be responsible for translation and asked for the attendees to allow for the translation between English and Xhosa. She thanked the attendees for the opportunity to hold the meeting and outlined the presentation stating that they will be given the opportunity to ask questions at the end of the presentation.
- 3.7. JdB explained that GCS were appointed as environmental consultants to draft the environmental management plan (EMP) that is used for the prospecting right application (PRA) submitted to the Department of Mineral Resources (DMR). She added that GCS is required to in terms of legislation to have public meetings to consult with community. She explained that the results of all the consultation will be compiled in a stakeholder engagement report (SEP) which will be submitted to the DMR. She explained GCS is required in terms of legislation to ensure that there is proof that the meeting took place and that is why GCS is taking minutes of the meeting and request that GCS takes photographs and that the attendees sign the attendance register at the end. She also stated that a recording is being made of the meeting to capture all comments and to ensure that there is a true representation of what was said at the meeting. She furthermore requested that one person speaks at a time; that everyone switches off their cellphones and that they refrain from talking amongst themselves.
- 3.8. JdB discussed the project history from the original mining right application in 2007 to present, the proposed prospecting and specialist investigations and timeframes. She stated that the employment opportunities during the prospecting period would be limited to the specialist investigations. She explained that no mining activities will take place during the prospecting right period, but that the applicant has the right to apply for a mining right at the end of the three years and that the mining right application will follow a different process. She discussed the proposed invasive prospecting activities adding that no infrastructure is planned for the prospecting period. She explained that during prospecting activities they will make sure to avoid sensitive areas which include estuaries, rivers and wetlands. She added that they will avoid foredunes. She stated that the homestead and cultivated areas will be avoided and buffer of 100m will be maintained. She added that a minimum buffer of 20m will be kept around any gravesites and that archaeological sites will be avoided. JdB directed anyone interested in viewing the map of the exclusion zones to look at the map put up inside the hall.
- 3.9. JdB discussed the location of the Pondoland Marine Protected Area (MPA) and the declaration of the area provided in a government notice. She stated that a map was put up in the hall showing where the Kwanyana Block is and where the Pondoland MPA is.

ITEM

- 3.10. JdB informed the attendees of the other public meetings which held on 17 and 18 April 2013. She added that everyone has the opportunity to comment on the process which must be done by 20 May 2013. She added that everything discussed during the meetings and everything received in writing will form part of the issues trails which will be in the SEP report which will be submitted to the DMR at the end of May 2013. She added that if anyone doesn't get the opportunity to ask questions during the meeting, they can still contact GCS at the contact details which have been put up in the hall. She stated that if anyone couldn't make it to the meeting, the attendees must let them know or give their details to GCS so that GCS can make sure they are informed of the process and that their details are kept on the stakeholder database. She added that all stakeholders added to the database will be informed of the process going forward including the decision reached by the DMR. She then stated that five questions will be taken at a time, which will be translated into English and answered by the relevant person.
- 3.11. Sinegugu Zukulu asked where the drilling will take place. He said that according to the map inside it is not in the area specified on the map. He encouraged people to go and have a look at the map. He added that are holes that were left unplugged during the previous drilling. He also mentioned that there are 30 homesteads that will be affected during the whole process.
- 3.12. Mr. Dlamini said that there is a headman in the area and asked why he isn't there. He stated that the headman must come to Umgungundlovu and explain what is going on.
- 3.13. Ntombifuthi Ndovela said that she is tired of being misled by GCS. She added that they heard that GCS went to Mthayise and asked why they did not start at Umgungundlovu. She said that when TEM did prospecting previously they said they did not want it, and said that they have not changed their minds.
- 3.14. Xolani Ntuli said that as per the map GCS is saying that there are only three graves in the area, yet there are more that 30 graves in the area. There are more than 30 graves in that area. Xolani Ntuli In the map, GCS is saying there are only three graves. He added that there are even graves in the forest.
- 3.15. Nontle Mbutuma (NM) thanked GCS for coming. She asked who did the mapping the mapping for GCS and who gave GCS authority to do the map. She added that that they should've been part of the studies.
- 3.16. Mr. Ndovela stated that the people of this area do not know the premier of the province.
- 3.17. NN replied that she would take the message to the premier and that the premier would take it from there.

ITEM

- 3.18. JdB responded to the question from Sinegugu Zukulu stating that they will be looking at geological data in the previous studies that were taken in this area and that it is widely available to any researchers. She added that because TEM had done some drilling for the previous prospecting application, they also know where to look for the minerals. She stated that based on this information, they will decide the best possible place to drill the holes. She said at this stage they still need to do their studies and research to decide where these holes will be drilled.
- 3.19. JdB responded to NM that the drill holes are not indicated on the map. She stated that maps were created by GCS and are based on geological information systems that are widely available and is based on satellite imagery. She added that to her knowledge, the geographical information was used to identify where homesteads and graves are allocated. She stated that once specialists come to the area and identify areas that need to be avoided, that will be identified in the EMP. She said that the environmental studies need to take place first to identify where these areas are.
- 3.20. Ace Mthwa said that this mining issue has been going on for years. He added that he is a leader of the youth in the community (Mzamba - Mtentu) and most of them have gone back to where they are now. He asked why GCS and TEM have come there when they are gone. He added that the youth do not want mining in this area.
- 3.21. NM said asked who GCS did the map with.
- 3.22. Dlokweni Dlamini said that he understands there are protected areas in this area, but what are not protected are human rights.
- 3.23. A person who did not identify himself asked if this has been approved or not.
- 3.24. Zenzele Gampe said asked why the people from Mthayise are at the meeting and if this will affect them.
- 3.25. Mashona Dlamini said that the minutes of the last meeting in May must be read out.
- 3.26. Balasheleni said that GCS came there to request but it looks like GCS is advising them. He added that it's like GCS is conducting a meeting and it's like they are being passed or failed here.
- 3.27. Nkosinathi said that since 1996, when he was 13 years old, this mine has been killing their parents and our herds of animals. He added that the mine did not pay them.
- 3.28. JdB replied that the maps are based on topographical data that has been made available from the Surveyor General. She added that once prospecting is allowed, they will be able to go to the area and to sure where everything is located to make sure that none of those areas are affected. She said that the Chief Director of Surveyor General has signed off on the information in the map.

ITEM

- 3.29. Jane Mahaba (JM) said that the map is done using a desktop survey and information coming from satellite flown over by helicopter to gather the information. It was done by Surveyor General. She added that government has access to the information and makes it available to people. She said that one would have to physically walk the area because the information changes every five years so the information may be old or outdated.
- 3.30. JdB replied to Dlokweni Dlamini saying that a socio economic study will be undertaken during the 3 years of prospecting. During the studies, the specialists will engage people one on one to understand their concerns are and how they may be impacted. She said that the study will also look at what can be done to address that and if there's anything can be done to improve their situation and prevent impacts. She stated that In terms of human rights, all the information gathered will be taken into consideration. She added that everyone will be consulted.
- 3.31. JdB said that there will be other studies like air quality and noise assessment which will make sure that the people of this area are not impacted negatively.
- 3.32. Chief Lunga Baleni said everyone must note that he stands here on behalf of the elders because there were certain threats that were made by people that they will beat up the people of Mthayise. It was stated clearly by SZ that everyone must raise their hand and speak loudly so that everyone can hear. It is not a good thing that you would make threats against these elderly people from the Amadiba clan. He said that people must not speak when GCS has left. He added that he will speak later as he has heard some things referred to him indirectly.
- 3.33. Zadla Dlamini said that they will be speaking throughout and this will not assist. He said that the people of this area do not want the mine unless they are being forced to accept it
- 3.34. Ray Tshutsha said he supports the previous speaker who asked for the minutes of the previous meeting to be read. He said that he lives near the casino and it did this to them in 1978 when he was young. He said that the casino made promises that it will build people homes and appoint young people of this area. He added that when the deal was signed, they changed. He said they still want their land where casino is. He stated that people who are with the investors benefit and that they must take this seriously.
- 3.35. Balasheni said that they heard that GCS has met the rats (referring to people) at the crèche. He added that they will meet with the TA later to discuss this matter.
- 3.36. A person who did not identify his/herself said that People of this area want work not the mine. Nolitha must inform the government that we want work. You can bring other developments in the area.
- 3.37. Nontle Mbutuma said that they want NN to read the minutes of the previous meeting. She asked if this is a new application and if so, was the other one withdrawn.

ITEM

- 3.38. NN replied to NM that the application was submitted to the DMR and then the Amadiba Crisis Committee (ACC) lodged an appeal. She said that there were things that needed to be dealt with. She added that this is an additional or amended application. She said that for them to deal with the issues, they need to consult with people and follow the same process.
- 3.39. Xolani Ntuli said he read parts of the previous minutes.
- 3.40. Mzamo Dlamini said they heard that GCS had requested people to fill in forms and asked for clarity on that.
- 3.41. NN said that for the benefit of everybody, they are noting what was read out that the gist of the previous meeting is that the people of Umgugundlovu said that they do not want the mine. She said notices need to be put up in all the areas when having meetings of this nature, to make sure that people know about the meeting. She said in terms of the regulations, the putting up of notices is one of the requirements. She added that in terms of this process, notices had to be put indicating the dates, venues and times for the public meetings. She said that people are also expected to fill in comment forms stating their views and that the closing date for submission is 20 May 2013.
- 3.42. A person who did not identify themselves said that they do not want the mine
- 3.43. Balasheleni said they do not want the mine. He said that they will visit the Chiefs. He added that they do not want conflict. He said that money given to people is creating division.
- 3.44. Lolo Dlamini said that they see that Nolitha does not want to read the previous minutes and that maybe she did not take the minutes. If people have been given R40 million, they must return the change.
- 3.45. Chief Lunga Baleni said that he needs to clarify one thing. He said the reason they went there is that they were approached to hold these meetings. He said that as a TA, they will not decide on anything as this depends on the community. He said that they do not want people saying the TA is saying they must support this and that and talking about things they do not know. He added that the white car he was driving was not his. He said that it was given to the Tribal Authority and will be returned. He added that he will take the car if he is given it. He stated that Umgugundlovu is their home, office and government and he is concerned that there are boundaries and yet they fall under their jurisdiction. He said he will report to the Amadiba Tribal Authority and thanked the attendees for listening to the visitors. He added that they must respect visitors and that it is not a good reflection to show disrespect.

4. Closing of the meeting**4.1. The meeting was adjourned at 12:00**