



MINING FORUM

NORTH-WESTERN CAPE MINING FORUM
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17 February 2020

Mr/Ms Ntsanko Ndlovu
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Dear Sir/ Madam

COMMENTS ON APPLICATION FOR ENVIRONMENTAL AUTHORISATION - DMR REF: WC 30/5/1/2/3/2/1(401) EM

Your notice in Ons Kontrei, 7 January 2020 refers.

Please find our comments on the prospecting right application with above – mentioned reference number.

No serious substantial and meaningful effort before and after 1994 has been made by the private and public sector to promote ownership and management of locally Historically Disadvantaged South Africans in the mining industry in the Matzikama and West Coast areas.

Environmental Authorisations, Mining Permits and Rights in the Matzikama municipal area and the West Coast has for years been granted to a few mining companies which dominate the mining industry for decades, without any substantial transformation and/or proof of ownership and management by locally based Historically Disadvantaged South Africans.

The continuous granting of new and/or additional Integrated Environmental Authorisations and Prospecting and Mining permits and Rights in the above – mentioned area, in the Matzikama municipal area and along the West Coast of South Africa is detrimental to the participation and equitable access to mineral resources of locally based Historically Disadvantaged South Africans in future mining operations and to benefit from exploitation of the mineral resources of the area.

We ask for a full and thorough research and investigation by the Department of Mineral Resources and Energy regarding the status of current mining rights and its holders, as well as the remaining mineral deposits in the area. Our association has nothing against any new economic developments that will create jobs, but the duration of the validity periods for authorisations, permits and rights are too long to ensure that our concerns will be effectively addressed after commencement of any new environmental and/or mining development activities and/or operations. Therefore, we want a written commitment with implementation timeframes and guidelines by all stakeholders, before we will agree on new approvals.

We, thus, ask that the application of Cape Lime (Pty) Ltd not be granted and that no activities/ operations under it commence until all issues as set out above have been properly attended to.

A moratorium must be put on the granting of all new environmental and mining authorisations, permits and rights and related authorisations by the relevant authorities, until all stakeholders in the mining industry in the area urgently engage in a structured and constructive manner and agreed in writing on the conditions under which mining operations will be conducted in future in the areas. This can be done through arrangement of a Mining Summit/Indaba by the DMRE.

Such written agreement must promote the principles of the Constitution and relevant legislation with due regard to access of new entrants and emerging/ small - scale miners from the Historically Disadvantaged communities in the area to the mining industry and the promotion of ownership and management of mining companies by local Historically Disadvantaged South Africans.

Alternatively and/or additionally we will agree to the granting of this application and any other existing and future applications (with the necessary change of details) under the following substantial conditions:

1. That this applicant, Cape Lime (Pty) Ltd must enter into a partnership agreement for its existing operations and proposed expansions with local historically disadvantaged small – scale/ emerging miners through the North Western Cape Mining Forum and/or its member companies within one (1) month after the granting of the authorization. The agreement must include *inter alia*:

- i) Ownership and management arrangements/
- ii) Procurement and Sub - contracting
- iii) Skills development and Mentorship
- iv) Financial and technical arrangements/ Investment
- v) The existing Environmental Management Plan and Social and Labour Plan
- vi) Environmental/ Water Use/ Heritage considerations
- vii) Tailings/ Stockpiling and Secondary Minerals

- As a show of good faith Cape Lime (Pty) Ltd must immediately engaged with North Western Cape Mining Forum to formulate and agree on the Partnership Agreement through a Memorandum of Understanding prior to the authorization approval.
- It must be noted that local historically disadvantaged small – scale/ emerging miners do not have the financial and technical capacity of big established companies to contribute. Relevant financial and other institutions (for example DTI and Mintek) must be approached for assistance.

2. That the DMRE, Matzikama Municipality and other relevant stakeholders, must play a facilitatory, monitoring and supportive role in the finalization of the above – mentioned agreement.

3. That Cape Lime (Pty) Ltd must explicitly and comprehensively mention/refer to the meaningful inclusion and participation of local small – scale/ emerging miners in the supply/ production value chain in their Basic Assessment Report, Environmental Management Plan and Social and Labour Plan.

4. That all future granting of environmental and mining authorisations and permits/ licences/ rights in our area must make provision for the meaningful inclusion and participation of locally based historically disadvantaged small – scale/ emerging miners in the mining industry.

5. We strongly believe that our proposed partnership and collaboration can serve as an example of best practice and/or a pilot project in taking the mining industry and our local communities forward in future. This can harmonize and stabilize the local mining industry, increase economic growth and promote employment and skills development opportunities.

We will continue to play a constructive role in promoting the full inclusion and due regard of small - scale/ emerging miners in the relevant policy and legislative framework as an equal and important industry stakeholder.

Our association will work together to promote sustainable economic development and also believe that established mines and small – scale/emerging miners can co – exist. However, the challenge of transformation and inclusion/participation of local historically disadvantaged South Africans with regard to ownership and management in the mining industry in the area, remains our main concern.

Kind regards

A handwritten signature in black ink, appearing to read 'Cupido Filton', with the date '18/02/2020' written below it.

Cupido Filton
Secretary