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PUBLIC PARTICIPATION REPORT

HARMONY NOOITGEDACHT TSF PROJECT





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Abbreviation List:

DFFE	Department of Forestry, Fisheries and the Environment
DWS	Department of Water and Sanitation (formerly DWA/DHSWS)
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
I&AP	Interested and Affected Party
LOM	Life of Mine
NEMA	National Environmental Management Act
PPP	Public Participation Process
PPR	Public Participation Report
TSF	Tailings Storage Facility
WUL	Water Use License
NWA	National Water Act



1 INTRODUCTION

Harmony Gold Mining Company Limited (hereafter referred to as the applicant) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to undertake the necessary environmental authorisation and associated consultation processes. EIMS will compile and submit the required documentation in support of applications for:

- Integrated Environmental Authorisation (EA) and Waste Management License (WML) in accordance with the National Environmental Management Act – NEMA (Act 107 of 1998)- Listed activity:
 - Listing Notice 2, Activity 15 as well as the National Environmental Management: Waste Act – NEMWA (Act 59 of 2008)- Activity B11; and
- Water Use Licence (WUL) in accordance with the National Water Act – NWA (Act 36 of 1998). Water uses:
 - Section 21 (c), Section 21 (i) and Section 21 (g).

The applicant owns and operates a number of Gold Mines and plants in the Welkom region in the Free State and currently deposits tailings onto the Free State South 2 Tailings Storage Facility (TSF), St. Helena 4 TSF, St. Helena 123 TSF, Dam 23 TSF, Brand D TSF and Target 1&2 TSF. The current planned Life of Mine (LOM) of the Free State operations exceed the available deposition capacity of these TSFs and the applicant is therefore proposing to construct the proposed Nooitgedacht TSF to cater for this additional capacity. The TSF will cover an area of approximately 8.95 km². The proposed TSF will be located on Farm portions Mijannie 66 Ptn 0/RE, Goedgedacht 53 Ptn 0, Nooitgedacht 50 Ptn 0, Jacobsdal 37 Ptn 0 and Rheedersdam 31 Ptn 0.

2 OBJECTIVES OF THE PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides: *"The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement"*. This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as..."*a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently*"¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The PPP is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

- During the Basic Assessment Process:
 - Verify that their issues have been recorded;

¹ Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



- Comment on the findings of the environmental assessments; and
- Provide relevant local information and knowledge to the environmental assessment.

The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the Harmony Mispah Pipelines project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process for the authorisation project;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and
- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This Public Participation Report (PPR) lists all verbal and written issues raised by I&APs during the call to register period from 15 March 2023 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

2.1 LEGAL COMPLIANCE

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely, the National Environmental Management Act (NEMA, Act No. 107 of 1998).

Adherence to the requirements of the above-mentioned Act will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirements for public participation referenced in the Act. The details of the Integrated PPP are provided below.

3 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)

An initial I&AP database has been compiled from historic projects in the area and Windeed searches to obtain the contact details of the surrounding landowners. The I&APs referred to in the PPR include:

- Pre-identified and registered landowners and surrounding landowners;
- Pre-identified and registered key stakeholders;



- Regulatory authorities;
- Specialist interest groups; and
- All I&APs who responded to the initial notifications and requested to be registered.

Efforts to pre-identify key I&APs involved various avenues such as consultation with the proponent and known landowners within the study area, review of related previously conducted studies, and identification of key interest groups and authorities within the vicinity of the study area and municipality. Refer to Appendix 1 for the Key Stakeholder/I&AP Database.

3.1 LIST OF ORGANS OF STATE IDENTIFIED AND NOTIFIED

The following key I&APs, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- | | |
|--|---|
| • Matjhabeng Local Municipality | • Free State Department of Water and Sanitation |
| • National Government of the Republic of South Africa | • National Department Of Agriculture, Land Reform And Rural Development |
| • South African National Biodiversity Institute | • National Department Of Forestry, Fisheries and Environment |
| • Free State Provincial Heritage Resources Authority | • National Department of Water and Sanitation |
| • South African Civil Aviation Authority | • National Department of Transport |
| • South African National Roads Agency Ltd | • National House of Traditional Leaders |
| • South African Heritage Resources Agency | • National Energy Regulator of South Africa (NERSA) |
| • Lejweleputswa District Municipality | • Sedibeng Water |
| • Free State Department of Agriculture & Rural Development | • Eskom Soc Ltd |
| • Free State Department of Agriculture & Rural Development | • National Department of Agriculture Land Reform and Rural Development |
| • Free State Department of Cooperative Governance and Traditional Affairs | • Free State Department of Small Business, Tourism, and Environmental Affairs |
| • Free State Department of Public Works and Infrastructure | • Free State department of Health |
| • Free State Department of Police, Roads and Transport | |
| • Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs | |
| • Free State Development Corporation | |
| • Free State Department of Mineral Resources and Energy | |



3.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- Directly Affected and Adjacent Landowners
- Freegold Harmony Pty Ltd/Harmony Gold Mining Co Ltd
- Armgold/Harmony Freegold Joint Venture co Pty Ltd
- Birdlife South Africa
- Transnet Properties
- Welkom Airport FAWM
- Phakisa Freeway
- Thusanong District Hospital
- Goldfields Equestrian centre
- Welkom Paintball
- Welkom Cemetery
- Griffons Rugby Union
- Fidelity Security Services - Welkom
- A & R Firearms and training
- Die Melkkan
- Western Holdings Primary School
- Working for Climate
- Endangered Wildlife Trust
- Ward councillors

4 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES

This section provides details on the notifications that were distributed as part of the consultation process to date.

4.1 INITIAL NOTIFICATION OF KEY I&APS

The PPP commenced on the 4 April 2023 with an initial call to register notification. Notification during this initial consultation was given in the manner described below.

4.1.1 FAXES AND EMAILS

Notification letters in English, Afrikaans and SeSotho were distributed to pre-identified I&APS through either faxes, and/or emails.

The notification documents included the following information:

- List of anticipated activities to be authorised;
- Sufficient detail of the proposed development to enable I&APs to assess/surmise what impact the development will have on them or on the use of their land;
- The purpose of the proposed project;
- Details of the application processes associated with proposed activities;
- Details of the affected properties (including a locality map);
- Details of the South African environmental legislation that must be adhered to;
- Contact details of the EAP.

Please refer to Appendix 2 for initial notification and proofs.



4.1.2 SITE NOTICE PLACEMENT

Ten (10) A2 Correx site notices (in English, Afrikaans, and SeSotho) as well as three (3) poster notices were placed at 13 locations along, within and surrounding the perimeter of the proposed project study area on the 4 April 2023. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix 3 for proof of site notice and site notice distribution.

4.1.3 NEWSPAPER ADVERTISEMENT

Advertisements describing the proposed project and EIA process were placed in the Welkom News Newspaper (in English, Afrikaans and isiXhosa) with circulation in the vicinity of the study area on 6 April 2023.

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer Appendix 4 to for proof of adverts placed.

4.2 NOTIFICATION OF REGISTERED INTERESTED AND AFFECTED PARTIES OF DRAFT SCOPING REPORT (DSR) AVAILABILITY

This subsection provides details on the public consultation carried out during the Draft Scoping Report Review period.

4.2.1 DRAFT SCOPING REPORT AVAILABILITY

Notification letters in English, Afrikaans and Sesotho were distributed to pre-identified and registered I&APS through either registered mail, faxes, and/or emails. The notification includes details regarding an overview of where hard copies of the report can be accessed. A soft copy of the report was also made available at the EIMS website.

Contact details have been provided to I&APs if they require assistance accessing the information or require copies of the reports.

The DSR and associated appendices was made available for public review and comment from the 10th of June until the 12th of July 2023 at the Welkom Public Library. Please refer to Appendix 5 for proof of DSR availability notification.



4.3 SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES

The table below provides a summary of the opportunities provided to I&APs for participation in the public participation process to date.

Table 1: Opportunities Provided for Public Participation

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
Initial Call to Register	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	4 April 2023
	Placement of site notices.	Ten (10) A2 site notices (English, Afrikaans and Setswana) and three (3) A3 poster notices within and around the study area (13 placement locations).	4 April 2023
	Newspaper advertisement	Notices were placed in the Welkom News Newspaper	6 April 2023
DSR Availability	Placement of DSR for Public Review	DSR placed in the Welkom Public Library	10 June 2023

5 RECORD OF ISSUES RAISED

Comments on the proposed Harmony Kusasaletu pipeline project were solicited from pre-identified and registered I&APs and key stakeholders. To date the following comments have been received:

- Request for more information about Harmony mining operations and activities in the area

Please refer to Appendix 6 and Appendix 7 for comments or issues received.

6 CONCLUSIONS AND RECOMENDATIONS

The comments received during the initial call to register period were used to inform the compilation of this PPR. This report has been updated for submission to the competent authority, Department of Forestry, Fisheries and the Environment, following the 30-day public participation period.



APPENDIX 1

INTERSTED AND AFFECTED PARTIES DATABASE

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



APPENDIX 2

PROOF OF INITIAL CALL TO REGISTER NOTIFICATION

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APPENDIX 3

SITE NOTICE PLACEMENT PROOF



APPENDIX 4

NEWSPAPER ADVERTISEMENT AND GAZETTE NOTICE



APPENDIX 5

DSR NOTIFICATION



APPENDIX 6

TABLE OF CORRESPONDENCE



APPENDIX 7

CORRESPONDENCE DOCUMENT

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