

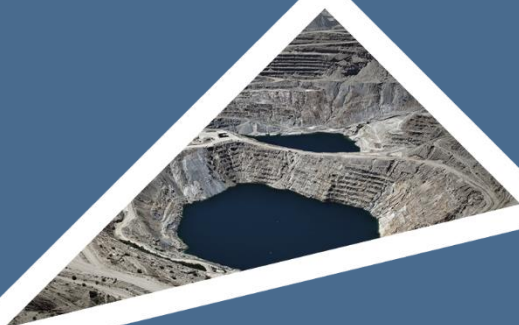


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PUBLIC PARTICIPATION REPORT

HARMONY VALLEY 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).

A new deposition site will be required for Harmony One Plant to replace the FSS2 and St. Helena 4 Tailings Storage Facilities by July 2024. Several alternative sites were identified and assessed as possible suitable deposition sites for the tailings from Harmony One Plant but were found not feasible. Following a review of other possibilities for the One Plant's future tailings deposition, an option to utilise the space between the Free State North 1 (FSN) and Free State North 2 (FSN) TSFs and portion of the footprint of the FSN4 TSF as shown in the map has been identified as a possible deposition site. The TSF will cover an area of approximately 1.24 km². The proposed TSF will be located on Farm portions Rietpan 14 (O) and Ouders Gift 48 (O/RE).

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 Environmental Impact Assessment Process:
 - Verify that their issues have been recorded;
 - Comment on the findings of the environmental assessments; and

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



- 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 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 C1 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 C2 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 C3 for proof of site notice and site notice distribution.

4.1.3 NEWSPAPER ADVERTISEMENT AND GAZETTE NOTICE

Advertisements describing the proposed project and EIA process were placed in the Welkom News Newspaper (in English, Afrikaans and Sesotho) with circulation in the vicinity of the study area on 6 April 2023. A Gazette Notice was also published including the same details as follows:

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

Please refer Appendix C4 to for proof of adverts placed.

4.2 SCOPING REPORT (SR) REVIEW

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

4.2.1 SR AVAILABILITY AND NOTIFICATION

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. Additionally, I&APs were invited to attend a planned public meeting (see 4.2.2).

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

The SR and associated appendices were 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 C5 for SR availability notification and proofs.

4.2.2 PUBLIC MEETING

A public meeting was scheduled at Victoria Hall (5 Monarch Avenue, Riebeeckstad) for 28 June 2023, between 12:00 and 14:00, as part of the public consultation carried out during the Scoping Report Review Period. Due to poor attendance, the meeting was cancelled.

4.3 ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) REVIEW

This subsection provides details on the public consultation carried out during the EIAR Review period.



4.3.1 EIAR REPORT AVAILABILITY AND NOTIFICATION

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. A public meeting has also been scheduled for the review period. Please refer to Appendix C6 for EIAR availability notification and proofs.

4.4 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 Sesotho) 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
SR Availability	Placement of SR for Public Review	SR placed in the Welkom Public Library	10 June 2023
	Public meeting	Public meeting was planned at Victoria Hall, Reibeeckstad	28 June 2023
EIAR Availability	Placement of EIAR for Public Review	EIAR placed in the Welkom Public Library	22 March 2024
	Public meeting	Public meeting to be held at Welkom Inn, Welkom	11 April 2024



5 RECORD OF ISSUES RAISED

Comments on the proposed 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
- Comments on other activities around the affected site
- Comment from Department of Forestry, Fisheries and the Environment stating that the department has no objections to the project.

Please refer to Appendix C7 and Appendix C8 for comments or issues received.

6 CONCLUSIONS AND RECOMENDATIONS

The comments received during the PPP were used to inform the compilation of this PPR. This report will be updated after the EIAR Review period.