

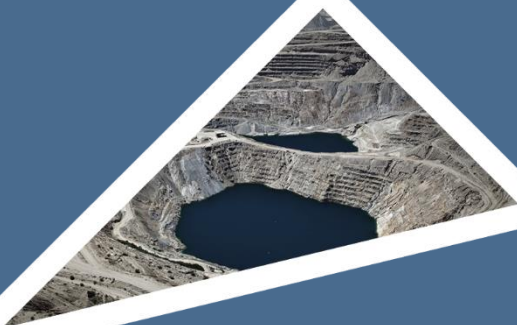


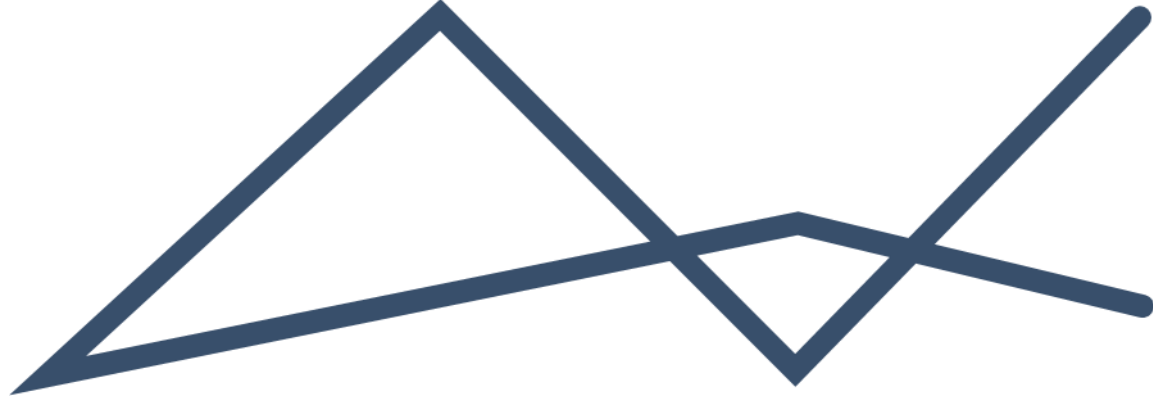
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T 011 789 7170 E info@eims.co.za W www.eims.co.za

PUBLIC PARTICIPATION REPORT

HARMONY NOOITGEDACHT TAILINGS STORAGE FACILITY PROJECT
AND ASSOCIATED PIPELINES





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DOCUMENT CONTROL

	NAME	SIGNATURE	DATE
COMPILED:	Alexander Msipa	Sent Electronically	2024/08/06
CHECKED:	John von Mayer	Sent Electronically	2024/08/06
AUTHORIZED:	Liam Whitlow	Sent Electronically	2024/08/06

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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) as well as the National Environmental Management: Waste Act – NEMWA (Act 59 of 2008; and
- Water Use Licence (WUL) for various water uses in accordance with the National Water Act – NWA (Act 36 of 1998).

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.

In addition, three new pipelines are required to be constructed:

- Two 10km long slurry lines from Harmony One Plant to the St Helena Booster Pump Station;
- One 16km long slurry line from Brand A TSF to the St Helena Booster Pump Station; and
- One 17km slurry line from the St Helena Booster Pump Station to FSN 1 TSF.

The pipelines will be flanged steel pipelines of over 0,36m in diameter and installed above-ground on pre-cast concrete plinths and a 3.5m wide access road, adjacent to the pipelines, will be cleared/graded to provide access for construction, maintenance, and inspections.

The proposed pipelines traverse the following farm portions: Vlakplaats 125 Ptn 3, 4 and 5; Mijannie RE/66 Ptn 0; Toronto RE/115 Ptn 7 and 0; Rietpan 17 Ptn 0; Rietkuil 28 Ptn 0; Rheeders Dam 31 Ptn 0; Farm 41 Ptn 20; Ouders Gift 48 Ptn 0; Nooitgedacht 50 Ptn 0; Goedgedacht 53 Ptn 0; Theronia 71 Ptn 1 and 7; Jacobsrust 118 Ptn 0; St Helena 42 Ptn 2 and 3, Farm 80 Ptn 0, Stuurmanship 92 Ptn 1, 7 and 0, Saaiplaas 690 Ptn 1, 11, 15 and 0; Klippan 14 Ptn 1, 2 and 15, Marmageli 20 Ptn 0 and 157 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 Public Participation Process (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 Scoping and EIA Process:
 - Contribute relevant local information and knowledge to the environmental assessment; Verify that their comments have been recorded;
 - 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 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 21 June 2024 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

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



3 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.

4 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.

4.1 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:

- | | |
|--|---|
| • Eskom Soc Ltd | • Free State Department of Public Works and Infrastructure |
| • Free State Department of Agriculture & Rural Development | • Free State Department of Small Business, Tourism, and Environmental Affairs |
| • Free State Department of Agriculture & Rural Development | • Free State Department of Water and Sanitation |
| • Free State Department of Cooperative Governance and Traditional Affairs | • Free State Development Corporation |
| • Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs | • Free State Provincial Heritage Resources Authority |
| • Free State Department of Health | • Lejweleputswa District Municipality |
| • Free State Department of Mineral Resources and Energy | • Matjhabeng Local Municipality |
| • Free State Department of Police, Roads and Transport | • Masilonyana Local Municipality |
| | • National Department of Agriculture Land Reform and Rural Development |



- National Department Of Agriculture, Land Reform And Rural Development
- National Department Of Forestry, Fisheries and Environment
- National Department of Transport
- National Department of Water and Sanitation
- National Energy Regulator of South Africa (NERSA)
- National Government of the Republic of South Africa
- National House of Traditional Leaders
- Sedibeng Water
- South African Civil Aviation Authority
- South African Heritage Resources Agency
- South African National Biodiversity Institute
- South African National Roads Agency Ltd
- South African National Parks
- Thusanong District Hospital
- Transnet Ltd SOC

4.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- A & R Firearms and training
- Armgold/Harmony Freegold Joint Venture co Pty Ltd
- African Conservation Trust
- AfriForum
- Birdlife South Africa
- Botanical Society
- Die Melkkan
- Center for Environmental Rights
- Council for Geoscience
- Directly Affected and Adjacent Landowners
- Earth Life Africa
- Endangered Wildlife Trust
- Environamics
- Federation for a Sustainable Environment
- Fidelity Security Services - Welkom
- Freegold Harmony Pty Ltd/Harmony Gold Mining Co Ltd
- Goldfields Equestrian Centre
- Griffons Rugby Union
- GroundWork SA
- Phakisa Freeway
- Thusanong District Hospital
- Transnet Properties
- Ward councillors
- Welkom Airport FAWM
- Welkom Cemetery
- Welkom Paintball
- Western Holdings Primary School
- Wildlife and Environment Society of South Africa
- Working for Climate

5 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES

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



5.1 INITIAL NOTIFICATION OF KEY I&APS

The PPP commenced on 21 June 2024 with an initial call to register notification. Notification during this initial consultation was given in the manner described below.

5.1.1 NOTIFICATION LETTERS: FAXES, EMAILS, REGISTERED MAIL AND SMSS

Notification letters in English, Afrikaans, and Sesotho were distributed to pre-identified I&APS through faxes, emails, and registered mail. SMS notification messages (in English, Afrikaans, and Sesotho) were also sent to all I&APS where contact details were available.

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.

5.1.2 SITE NOTICE PLACEMENT

Ten (10) A1 Correx site notices (in English, Afrikaans, and SeSotho) were placed at 10 locations along, within, and surrounding the perimeter of the proposed project study area on 25 June 2024. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of the 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.

5.1.3 NEWSPAPER AND GAZETTE NOTICE

Newspaper advertisements describing the proposed project and EIA process were placed in the Vista News Newspaper (in English, Afrikaans, and Sesotho) with circulation in the vicinity of the study area on 27 June 2024. The Gazette Notice was placed in the National Government Gazette (in English, Afrikaans, and Sesotho) on 28 June 2024. The newspaper and Gazette notices included the following information:

- 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.

5.2 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.

5.2.1 DRAFT SCOPING REPORT AVAILABILITY

Notification letters in English, Afrikaans, and Sesotho have been distributed to pre-identified and registered I&APS through email, faxes, and/or registered mail. The notification includes details regarding where hard copies of the report can be accessed. See Appendix C5 for a copy of the DSR Notification. A soft copy of the report have also been 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 have been made available for public review and comment from the 14th of August 2024 until the 13th of September 2024 at the Welkom Public Library.

5.3 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 Public Notification (announcement of project and 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.	21 June 2024
	Placement of site notices.	Ten (10) A1 site notices (English, Afrikaans, and Sesotho) within and around the study area (10 placement locations).	25 June 2024
	Newspaper advertisement	Notices were placed in the Vista News Newspaper	27 June 2024
	Gazette Notice	Gazette Notices were placed in the National Government Gazette	28 June 2024



Harmony Nooitgedacht TSF Project Draft Scoping Report for Public Review and Comment	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via either registered mail, SMS, fax, and/or email, where contact details are available.	14 August 2024
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6 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:

- I&AP Registration
- Request for project description, shapefile, and locality map.
- Request from the South African Civil Aviation Authority to update the relevant contact information for future environmental impact analysis reports, meeting requests, and requests for comments.
- Request for more information about Harmony mining operations and activities in the area

Please refer to Appendix C6 and Appendix C7 for comments or issues received.

7 CONCLUSIONS AND RECOMMENDATIONS

This report will be updated for submission to the competent authority, following the 30-day public review period of the Draft Scoping Report and associated appendices.



APPENDIX C1

INTERESTED 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 C2

PROOF OF INITIAL CALL TO REGISTER NOTIFICATION

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 C3

SITE NOTICE PLACEMENT PROOF



APPENDIX C4

NEWSPAPER ADVERTISEMENT AND GAZETTE NOTICE



APPENDIX C5

DRAFT SCOPING NOTIFICATION

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APPENDIX C6

TABLE OF CORRESPONDENCE



APPENDIX C7

CORRESPONDENCE DOCUMENT

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