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PUBLIC PARTICIPATION REPORT

HARMONY CLOSURE PROJECT: ST. HELENA SHAFT 10





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Abbreviation List:

DMR	Department of Mineral Resources
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
I&AP	Interested and Affected Party
MPRDA	Mineral and Petroleum Resource Development Act
NEMA	National Environmental Management Act
PPP	Public Participation Process
PPR	Public Participation Report



1 INTRODUCTION

Harmony Gold Mining Company Limited (the Applicant – hereafter referred to as Harmony) has appointed Environmental Impact Management Services (EIMS) (Pty) Ltd as the Environmental Assessment Practitioner (EAP) to assist in preparing and submitting a Basic Assessment (BA) Report and conducting a Public Participation Process (PPP) in support of an Environmental Authorisation (EA) and to apply for a closure certificate from the Department of Mineral Resources (DMR) for the St. Helena 10 Shaft which falls under the FS/30/5/1/2/2/86 Mining Right.

The St. Helena 10 Shaft is located on the remaining extent of farm Ongegund 13 located near the town of Welkom, in the Majhabeng Local Municipality within the Lejweleputswa District Municipality in the Free State Province. This Public Participation Report (PPR) has been compiled as an Appendix to the BA Report that has been prepared in support of the EA and closure certificate.

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"* (Greyling, 1999, p. 20). 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 BA Process:
 - Contribute relevant local information and knowledge to the environmental assessment;
 - Verify that their issues 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 and closure certificate for the Closer Project for the Harmony St Helena Shaft 10 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 closure application;
- 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 PPR lists all verbal and written issues raised by I&APs and stakeholders from the 30-day initial notification and call to register period from the 19th July 2018 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); and
- The Mineral and Petroleum Resources Act (MPRDA, Act No. 28 of 2002).

Adherence to the requirements of the above-mentioned Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. 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 Appendix B 1 **Error! Reference source not found.** for the Key Stakeholder/I&AP Database.

All landowners whose properties are within the study area have been notified about the project via post, fax and/or email as well as through advertisements and/or site notices inviting them to participate in the BA process. Refer to Appendix B 2 for the landowner, key stakeholder and I&AP initial notifications.

3.1 List of Authorities Identified and Notified

The following, but not limited to, Government Authorities were notified of the proposed project:



- Free State Department of Agriculture, Rural Development;
- Free State Department of Economic and Small Business Development, Tourism and Environmental Affairs;
- Free State Department of Social Development;
- Free State Department of Mineral Resources;
- Free State Department of Public Work and Infrastructure;
- Free State Department of Water and Sanitation;
- National Department of Agriculture, Forestry and Fisheries;
- National Department of Environmental Affairs;
- National Department of Mineral Resources;
- National Department of Rural Development and Land Reform;
- National Department of Water and Sanitation;
- South African Heritage Resource Agency (SAHRA);
- Lejweleputswa District Municipality; and
- South African National Roads Agency Limited (SANRAL).

3.2 List of Key Stakeholders Identified and Notified

- groundwork;
- Free State Agriculture;
- Endangered Wildlife Trust;
- SANBI - Working for Wetlands;
- Wildlife and Environment Society of South Africa (WESSA);
- Eskom;
- Transnet SOC Limited;
- Vaal Water Management Agency;
- Birdlife South Africa; and
- Federation for a Sustainable Environment.



4 NOTIFICATION OF INTERESTED AND AFFECT PARTIES

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

4.1 Initial Notification of Landowners and I&APs

The PPP commenced on the 19th of July 2018 with an initial notification and call to register ending on the 28th of August 2018. Notification during this initial consultation was given in the manner described below.

4.1.1 REGISTERED LETTERS, FAXES AND EMAILS

Notification letters (in English and Afrikaans), faxes, and/or emails were distributed to pre-identified. Please refer to Appendix B 2 for initial notification and proof of initial notification.

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;
- Date by which the I&AP must register and send comments through to EIMS;
- Details of the availability of the scoping report; and
- Contact details of the EAP.

4.1.2 Newspaper Advertisements

Advertisements describing the proposed project and BA process were placed in the Vista Newspaper (in English and Afrikaans) with circulation in the vicinity of the study area on the 26th of July 2018. The newspaper adverts 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 to Appendix B 4 for proof of adverts placed.

4.1.3 SITE NOTICE PLACEMENT

Five (5) A1 Correx site notices (in English and Afrikaans) were placed at 5 locations along and within the perimeter of the proposed project study area on the 19th of July 2018. 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 B 3 for proof of site notice and site notice distribution.

5 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF REPORTS AND OTHER STUDIES

Notification regarding the availability of the BA Report has been provided to registered I&APs in the following manner:

- Notification letters (in English and Afrikaans), faxes, registered mail and/or emails were distributed to all pre-identified key I&APs as well as I&APs registered during the initial notification period; and
- Notification documents included details on the duration of the BA report and associated appendices review period, as well as where the report will be available for public review.

The BA report and associated appendices will be made available for public review and comment from the 27th February 2020 until the 30th March 2020.

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

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)	Newspaper advertisements	Vista Newspaper	26 th July 2018
	Placement of site notices.	5 A1 site notices (English and Afrikaans) within and around the study area (5 placement locations). Poster placement at the Welkom public library, local municipality and the local Checkers.	19 th July 2018
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	24 th July 2018



PUBLIC PARTICIPATION PHASE			
BA report	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, SMS, fax, and/or post.	27 February 2020

6 NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE DECISION

Interested and Affected Parties will be notified via fax, registered mail and/or email of the decision once available including the appeal process should they wish to appeal the decision.

7 RECORD OF ISSUES RAISED

The comments presented in Appendix B 5 are those that have been received and addressed from 19th July 2018 to date and will be updated post the public review period of the BA report.

7.1 HOW ISSUES RAISED WERE ADDRESSED

Issues raised were addressed in a transparent manner and included in the compilation of the BA report in support of a closure certification for the Harmony St Helena Shaft 10, in the following manner:

- Issues raised were used quantitatively to calculate the significance of impacts both real and perceived; and
- Issues raised were used to provide further suggestions and recommendations with regard to potential management options for impacts.

7.2 Summary of Issues That Were Raised

All comments and/or queries received are included in this report and presented in Appendix B 5. **Error! Reference source not found.** for submission to the competent authority, the Department of Mineral Resources (DMR). Please refer to Appendix B 6 for proof of correspondence.

8 CONCLUSIONS AND RECCOMENDATIONS

The majority of the received comments to date refer to registration, water and waste management and arable land. The comments and issues raised through the public participation will be considered and used inform the compilation of this closure plan and the BA report. This report will be updated and submitted to the DMR (the competent authority), following the 30-day public review period of the BA report and associated appendices.