

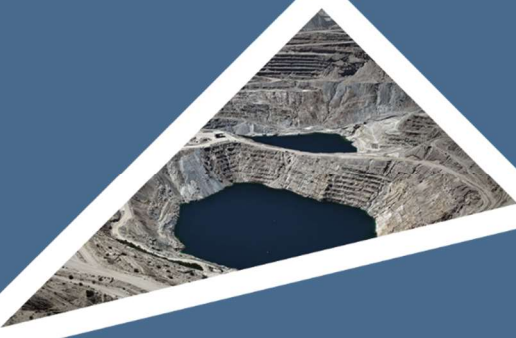


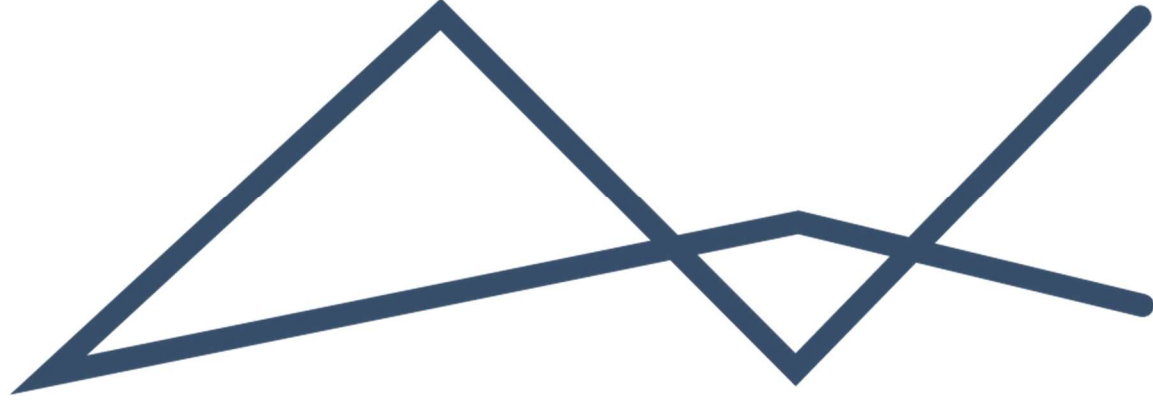
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PUBLIC PARTICIPATION REPORT

ENVIRONMENTAL LICENCING PROCESSES FOR THE KALGOLD
EXPANSION PROJECT





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Abbreviation List:

DMRE	Department of Mineral Resources and Energy
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 (hereafter referred to the applicant), has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required authorisation processes (including the statutory public participation), and to compile and submit the required documentation in support of applications for Environmental Authorisation (EA) (i.e.: Scoping and Environmental Impact Report (S&EIR)), Water Use Licence (WUL), Waste Management Licence (WML) and an Atmospheric Emissions Licence (AEL) for the proposed expansion of the Kalgold production operation (hereafter referred to as the proposed Kalgold Expansion Project). The EIR and Environmental Management Programme Report (EMPr) will also be used in support of a Mineral and Petroleum Resources Development Act (MPRDA, Act No. 28 of 2002) Section 102 amendment application for amendments to the existing EMPr and the Social and Labour Plan.

The existing Harmony Kalgold operation wishes to expand its current production from the current production rate of 130 000 tons per month to 300 000 tons per month. A pre-feasibility study has been undertaken. The findings of the pre-feasibility study have concluded that the following new activities and expansions must be provided for:

- The pit footprint will increase.
- Larger dewatering pipelines.
- Extension to Spanover waste rock dump.
- Road from the pit to new ROM pad.
- New ROM pad.
- New plant.
- Recommission old TSF at low deposition rate.
- Increase deposition rate at D zone pit.
- Install pipeline from Central dam to the new plant.
- Install a tailings pipeline from the new plant to old TSF and Dzone pit.
- Install pipeline from old plant raw water pond to the new plant (D zone return water).
- Install two power lines from Ferndale substation to the new plant.
- Install evaporators at Central dam.
- Install a water treatment plant at the new plant.
- Relocate and expand the explosives magazine.
- Additional new road from the plant to the N18.

Kalgold mine is a gold mine located approximately 55km southwest of the town Mafikeng and 60km northeast of the town Stella in the Ratlou Local Municipality, located within the Ngaka Modiri Molema District Municipality, North West Province. The project area covers the remainder of portion 1 and portion 5 of the Farm Spanover 249, the remaining portion of Farm Spanover 552, the Farm Ferndale 554 , portion 13 of Ferndale 551 and the Farm Goldridge 632. The centre point of the site is 26° 8'58.01"S; 25°14'35.97"E.

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 EIA 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 required for the Proposed Expansion 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 PPR lists all verbal and written issues raised by I&APs and stakeholders from the 14-day initial notification and call to register period from the 26th March 2021 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



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);
- The National Water Act (NWA, Act 36 of 1998);
- The National Environmental Management Air Quality Act (NEM:AQA, Act 34 of 2004);
- The National Environmental Management: Waste Act (NEM:WA, Act 59 of 2008) 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 C 1 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 EIA process. Refer to Appendix C 2 for the landowner, key stakeholder and I&AP initial notifications.

3.1 LIST OF KEY I&APS IDENTIFIED AND NOTIFIED

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

- National Department of Agriculture, Land Reform and Rural Development;
- National Department of Environment, Forestry and Fisheries;
- National Department of Human Settlements, Water and Sanitation;
- National Department of Mineral Resources and Energy; and
- Ngaka Modiri Molema District Municipality;
- Northwest Department of Agriculture and Social Development;
- Northwest Department of Community Safety and Transport Management;



- Northwest Department of Economic Development, Environment, Conservation and Tourism
- Northwest Department of Health;
- Northwest Department of Local Government and Human Settlements;
- Northwest Department of Mineral Resources and Energy;
- Ratlou Local Municipality;
- South African Heritage Resource Agency (SAHRA);
- South African National Parks;
- South African National Roads Agency Limited (SANRAL).

3.2 LIST OF KEY STAKEHOLDERS IDENTIFIED AND NOTIFIED

- Barolong Ratlou Ba Ga Seitshiro Tribal Authority;
- Khunwana Tribal Authority;
- Maretsane Farmers Union;
- Endangered Wildlife Trust;
- South African Civil Authority;
- Eskom Soc Ltd.;
- Tlakajeng Tribal Office; and
- Farmers Forum;
- Transnet SOC Limited

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 26th March 2021 with an initial notification and call to register ending on the 9th April 2021. Notification during this initial consultation was given in the manner described below.

4.1.1 REGISTERED LETTERS, FAXES AND EMAILS

Notification letters registered mail in English and Setswana were distributed on the 30th March 2021 to pre-identified I&APs through either registered mail, faxes, and/or emails. Please refer to Appendix C2 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 to be adhered to;
- Date by which the I&AP must register and send comments through to EIMS;
- Contact details of the EAP.

4.1.2 Newspaper Advertisements

Advertisements describing the proposed project and EIA process were placed in the Mahikeng Mail (in English and Setswana) with circulation in the vicinity of the study area on the 26th March 2021. The newspaper adverts included the following information: Project name;

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

Please refer to Appendix C4 for proof of adverts placed.

4.1.3 SITE NOTICE PLACEMENT

Seven (7) A1 Correx site notices (in English and Setswana) were placed at 7 locations along, within and surrounding the perimeter of the proposed project study area on the 26th March 2021. 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 C4 for proof of site notice and site notice distribution.

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

Notification (in English and Setswana) regarding the availability of the Scoping Report has been provided to preidentified and registered I&APs were distributed through either faxes, registered mail and/or emails. The notification includes details regarding where hard copies of the reports can be accessed.

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

The Scoping report and associated appendices have been made available for public review and comment from the 04th of May 2021 to the 03rd of June 2021 at the entrance to the Kalgold Mine. An additional hard copy of the report was placed at the Kraaipan Tribal Council.

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.

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	Mahikeng Mail (in English and Setswana)	26 th March 2021
	Placement of site notices.	Seven (7) A1 site notices (English and Setswana) within and around the study area (7 placement locations).	26 th March 2021
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	26 th March 2021 and 30 th March 2021 (emails)
Scoping report public review and comment period	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, fax, and/or post. Hard Copies of the report were placed at the Kalgold Mine Entrance and the Kraaipan Tribal Council. A copy of the	04 th of May 2021 to the 03 rd of June 2021



PUBLIC PARTICIPATION PHASE			
		report was made available on the EIMS website.	
Public Open Day	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, fax, and/or post.	TBA

5 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.

6 RECORD OF ISSUES RAISED

The comments presented in Appendix C 5 are those that have been received and addressed from 18th September 2020 to date.

6.1 HOW ISSUES RAISED WERE ADDRESSED

Issues raised were addressed in a transparent manner and included in the compilation of the Scoping Report for the proposed Kalgold Expansion Project, 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.

6.2 Summary of Issues That Were Raised

To date comments have been received as per below:

- Correspondence from SAHRA requesting that a case be created on the SAHRIS website;
- Letter of Objection received from Chief GH Phoi on a separate application that has been lodged by the applicant for Kalgold Mine ; and
- Request for registration from the local business.

All comments and/or queries received are included in this report and presented in Appendix C 5 and Appendix C 6 for submission to the competent authority, the DMRE. Please refer to Appendix C 6 for proof of correspondence.

7 CONCLUSIONS AND RECOMENDATIONS

The comments and issues raised through the public participation will be considered and used inform the compilation of the Scoping and EIA. This report will be updated for submission to the DMRE (the competent authority), following the 30-day public review period of the Scoping Report and associated appendices.