

## PART 5: PUBLIC PARTICIPATION PROCESS

---

In terms of the requirements of MPRDA<sup>1</sup> (2002), all I&APs<sup>2</sup> must be encouraged and have the opportunity to participate in environmental governance. The Public Participation Process to be followed as part of this EMP<sup>3</sup> (incl. EIA<sup>4</sup>) process will be undertaken under the MPRDA (2002).

As mentioned previously, diamonds were first discovered in Kimberley in 1869 on the farm Bultfontein. This was followed by the discovery of other Kimberlite pipes which gave rise to the Dutoitspan Mine in 1870, the Kimberley and De Beers Mines in 1871, as well as the Wesselton Mine in 1891. The Kimberley Mine (“Big Hole”) closed in 1914 and De Beers Mine in 1990.

At the time that De Beers Kimberley Mines commenced with mining in 1870, there were no legislative requirements regarding Public Participation with which the mine had to comply. No pre-mining Public Participation therefore took place. However, De Beers Kimberley Mines involves the identified I&APs in the events and planning of the mine’s projects, so as to comply with current legislative requirements. It is the intention of this part of this EMP (incl. EIA) document to describe the communication process followed by De Beers Kimberley Mines towards such involvement of the identified I&APs.

Public Participation is a requirement in terms of the ECA<sup>5</sup> (1989), the MPRDA (2002) the NWA<sup>6</sup> (1998) and the NEMA<sup>7</sup> (1998). It also forms an integral part of the EIA, EMP and the IWULA<sup>8</sup> processes.

Public Participation is an important component of environmental management and involves the identification and consultation of I&APs that may be influenced, positively or negatively, by the existing mining activities at De Beers Kimberley Mines. Through this Public Participation process I&APs are informed of proposed projects and issues of concern and / or objections obtained. The issues of concern and / or objections are documented. I&APs should also be consulted throughout the entire life-cycle of the mine.

The purpose of the Public Participation Process is to:

- Provide an opportunity for I&APs to obtain clear, accurate and comprehensible information about the proposed activity, its alternatives or the decision and the environmental impacts thereof.
- Provide I&APs with an opportunity to indicate their viewpoints, issues and concerns regarding the activity, alternatives and / or the decision.
- Provide I&APs with the opportunity of suggesting ways of avoiding, reducing or mitigating negative impacts of an activity and for enhancing positive impacts.

---

1 MPRDA: Mineral and Petroleum Resources Development Act, Act 28 of 2002.

2 I&AP: Interested and Affected Party.

3 EMP: Environmental Management Programme.

4 EIA: Environmental Impact Assessment.

5 ECA: Environment Conservation Act, Act 73 of 1989.

6 NWA: National Water Act, Act 36 of 1998.

7 NEMA: National Environmental Management Act, Act 107 of 1998.

- Enable an applicant to incorporate the needs, preferences and values of affected parties into the activity.
- Provide opportunities to avoid and resolve disputes and reconcile conflicting interests.
- Enhance transparency and accountability in decision-making.

The Interested and Affected Parties identified in terms of the existing mining and related activities at De Beers Kimberley Mines include:

- Adjacent landowners, including neighbouring farmers.
- Businesses in Kimberley.
- Catchment Management Agency.
- DACE<sup>9</sup>.
- DMR<sup>10</sup>.
- DWA<sup>11</sup>.
- NDA<sup>12</sup>.
- Downstream water users.
- Sol Plaatje Municipality.
- Department of Transport.
- Northern Cape Nature Conservation Service.
- Eskom.
- Spoornet.
- National Monuments Council.
- National Union of Mineworkers.
- Company Employees.
- Kimberley residents, especially Greenside and Ernestville.

De Beers Kimberley Mines implemented some Public Participation as part of the EMP process for De Beers Kimberley Mines and commitments made within the approved EMP, dated 1999.

## 5.1 PREVIOUS AND CURRENT PUBLIC PARTICIPATION

At the time that De Beers Kimberley Mines commenced with mining in 1870, there were no legislative requirements regarding Public Participation with which the mine had to comply. No pre-mining Public Participation therefore took place. However, De Beers Kimberley Mines involves the identified I&APs in the events and planning of the mine's projects, so as to comply with current legislative requirements.

The relevant authorities, such as the DMR and DWA, are contacted regularly by De Beers Kimberley Mines since it is required by law, including the conditions of permits. This ensured that the relevant Authorities and I&APs were regularly informed of activities taking place at the mine, including any new and / or proposed projects, as

---

<sup>8</sup> IWULA: Integrated Water Use Licence Application.

<sup>9</sup> DACE: Department of Agriculture, Conservation and Environment.

<sup>10</sup> DMR: Department of Resources.

<sup>11</sup> DWA: Department of Water Affairs.

<sup>12</sup> NDA: National Department of Agriculture.

well as the progress on rehabilitation of the disturbed surface land use areas, taking the Closure objectives of the mine into account.

Staff members at De Beers Kimberley Mines are informed of mining matters through internal publications, management briefs and circulars. These internal communication methods will be improved, if necessary. A quarterly publication of De Beers Consolidated Mines, namely De Beers Facets, is distributed to interested and affected parties outside of De Beers Kimberley Mines. In addition, the printing media is informed of developments and important matters on mine through press releases. The yacht and angling clubs are also informed regarding activities that could have an impact on yachting or angling. Any communication between the mine and the yacht and angling club will be recorded and readily accessible when necessary. Communication to all I&APs will thus be undertaken on an annual basis and through various means, which include the distribution of information leaflets.

The EMP amendment public participation process followed by De Beers Kimberley Mines did not take place separately; De Beer's personnel were present at the Crown Resources Pty Ltd. public participation meeting as the two companies share commonalities

## **5.2 ADVERTISING OF THE PROPOSED PROJECT**

### **5.2.1 PRESS ADVERTISING**

The Crown Mines purchase agreement project with De Beers was advertised in the Diamond Fields Advertiser. Copies of the advertisements are attached as **Appendix Q**.

### **5.2.2 ON-SITE ADVERTISING**

The project was further publicised by placing 8 notices in and around the mine during the EMP project Phase. A copy of the site notice and photographs of the placed notices during the EMP Phase of the project are attached as **Appendix Q**.

### **5.2.3 BACKGROUND INFORMATION DOCUMENT**

A BID<sup>13</sup> developed for the proposed project provides background information pertaining to the Crown Resources and De Beers Kimberley Mines is intended to inform I&APs of the proposed project. The BID also includes a registration form, which stakeholders are encouraged to complete in order to register as an I&AP. The BID was made available in two languages, i.e. English, and Afrikaans. Copies of the BID have been attached as **Appendix Q**.

---

<sup>13</sup> BID: Background Information Document

### 5.3 CONSULTATION WITH INTERESTED AND AFFECTED PARTIES

Any stakeholder will be considered to be an I&AP if they have indicated that they wish to be involved in the Public Participation Process, or if they have registered as an I&AP.

Stakeholder influence can vary from minor to significant and this influence may vary through different phases of mining or as the operation matures or approaches closure. Stakeholders can therefore be classified according to the predicted level of mining impact, perceived level of stakeholder influence and perceived level of interest in the site activities or outcomes of site decisions.

#### 5.3.1 TELEPHONIC, ELECTRONIC AND POSTAL CORRESPONDENCE

Surrounding landowners were contacted via telephone or e-mail where possible, and provided with a Background Information Document. The BID developed for the project (during the EMP phases) provided background information pertaining to the De Beers Kimberley Mines with the intention of informing I&APs of the proposed project. The BID was made available in two languages, i.e. English and Afrikaans. Copies of the BID for the EMP (incl. EIA) phase have been attached as **Appendix Q3**.

Any remaining surrounding landowners, whose contact details could not be obtained, did have the opportunity to become involved with the project through the newspaper advertisements and the on-site notices (refer to Part 5.2 above). BID's were provided to any additional landowners who become involved.

Stakeholders and any other identified I&APs were contacted, informed of the project and provided with BID's.

#### 5.3.2 EIA PHASE PUBLIC MEETING

The public meeting will be held on the 27 May 2013. Stakeholders were notified of this meeting via newspaper advertisements, on-site notices, by e-mail as well as telephonically. The minutes of the public meeting will be forwarded to the relevant authorities.

### 5.4 ISSUES OF CONCERN RAISED DURING THE PUBLIC PARTICIPATION PROCES

All issues, comments and questions received from I&AP's (during the EMP phase) will be summarised in an issues and responses report to be submitted to DMR.