

08 April 2021

Project No. 19117180 Letter 004

Ms Melissa Hallquist-Waites

Anglo American Inyosi Coal (Pty) Ltd
Supply Chain
Ground Floor Security
55 Marshall Street
Johannesburg

Dear Melissa

ANGLO AMERICAN INYOSI COAL (PTY) LTD: EXEMPTION LETTER – PROPOSED DISCARD FACILITY AT THE ZIBULO OPENCAST OPERATION

Anglo American Inyosi Coal (Pty) Ltd (AAIC) proposes to develop a discard facility at its opencast operations at Zibulo Colliery, situated near Ogies in the Mpumalanga Province. Currently, coal from the opencast operation (and underground operation further south) is transported to the Phola Coal Processing Plant (PCPP). The PCPP is a 50:50 joint venture between AAIC and South32 SA Coal Holdings (Pty) Ltd (South32). The coarse and fine discard produced by PCPP is currently stored in a surface discard facility at South32's Klipspruit Colliery. The facility is reaching capacity (110 ha) by 2021 and an alternative discard facility is required to service the discard requirement of Zibulo Colliery.

It is proposed that a new discard facility be developed over the mined-out opencast pit at Zibulo Colliery. The discard (generated at PCPP) will be transported to the site via a new discard conveyor.

The proposed discard facility will require a waste management licence (WML) in terms of the National Environmental Management Waste Act, 2008 (Act 59 of 2008) (as amended) (NEMWA), an environmental authorisation (EA) in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) (as amended) (NEMA) and a water use licence (WUL) in terms of the National Water Act, 1998 (Act 36 of 1998) (NWA) (as amended). The WML and EA application will need to be supported by a full environmental impact assessment (EIA) process (scoping and impact assessment phases) in terms of the Environmental Impact Assessment Regulations, 2014 (as amended). The competent authority for the application is the Department of Mineral Resources and Energy (DMRE).

As part of the EIA process, a number of specialist studies are being conducted. The National Heritage Resources Act, 1999 (Act 25 of 1999) (NHRA) requires that a heritage and paleontological impact assessment be conducted for proposed developments. Since the proposed discard facility and discard conveyor will be located on disturbed land, an exemption from the requirements of the NHRA to conduct a heritage impact assessment has been compiled by an archaeological consultant.

Please see attached the exemption letter related to the heritage impact assessment.

Your sincerely,

Golder Associates Africa (Pty) Ltd.



Olivia Allen
GOLDER

Olivia Allen
Environmental Assessment Practitioner



Dr. Brent Baxter
Principal
GOLDER

Brent Baxter
Project Director

OA/BB/nbh

Attachments: Heritage impact assessment exemption letter

[https://golderassociates.sharepoint.com/sites/104294/project files/7 correspondence/letters/19117180_let004_anglozibulodd_hia_final_08apr21.docx](https://golderassociates.sharepoint.com/sites/104294/project%20files/7%20correspondence/letters/19117180_let004_anglozibulodd_hia_final_08apr21.docx)

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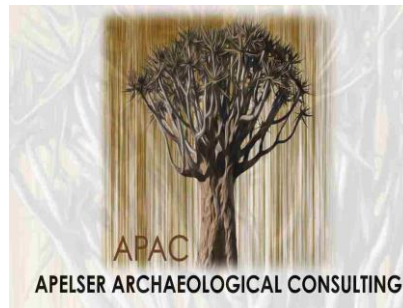
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Comprehensive and Professional Solutions for all Heritage Related Matters
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APAC021/07

2021-04-08

To: Me. Nokukhanya Khumalo
South African Heritage Resource Agency
P O Box 4637
Cape Town
8000

**RE: MOTIVATION FOR EXEMPTION FROM FULL PHASE 1 HERITAGE IMPACT ASSESSMENT –
ANGLO-AMERICAN INYOSI COAL (PTY) LTD, ZIBULO DISCARD FACILITY PROJECT**

APelsers Archaeological Consulting cc (APAC cc) was appointed by Golder Associates Africa (Pty) Ltd to provide a motivation for exemption from a Full Phase 1 HIA for Anglo-American Inyosi Coal's Zibulo Colliery Opencast Operation's Proposed Discard Facility Project.

Background to the Project

APAC cc was appointed by Golder for the above project and to provide Motivation for Exemption from a Full Phase 1 HIA. The Scope of Work included the following:

- Desktop review of the SAHRIS database, historic Phase 1 Heritage assessments conducted within the Zibulo mining rights area, and the draft scoping report for the proposed discard project;
- Drafting and electronic submission of the application for exemption letter to Golder;
- If required, an online meeting via Microsoft TEAMS with the appointed SAHRA case officer.

Anglo American Inyosi Coal (Pty) Ltd (AAIC) proposes to develop a discard facility at its opencast operations at Zibulo Colliery, situated near Ogies in the Mpumalanga Province. The proposed discard facility requires AAIC to submit an application for an Environmental Authorisation and a Waste Management Licence, supported by an environmental impact assessment (EIA) in terms of the 2014 EIA Regulations, as amended April 2017, to the competent authority the Department of Mineral Resources and Energy (DMRE).

AJ Pelsers BA (UNISA), BA (Hons) (Archaeology) [WITS], MA (Archaeology) [WITS]

Beatrix Bed & Breakfast Trading as A Pelsers Archaeological Consulting

As part of the EIA process, AAIC is required to submit a scoping report, an EIA report and an environmental management programme report (EMPr), which describe the environmental impacts of the proposed development and how they will be managed and mitigated.

Golder Associates Africa (Pty) Ltd, an independent environmental assessment practitioner, has been appointed by AAIC to conduct the EIA and associated licensing processes.

Zibulo Colliery produces an annual eight million run of mine (ROM) tonnes of export thermal coal, with seven million tonnes per annum coming from its underground sections and the remaining one million tonnes from its opencast pit. Underground operations incorporate bord and pillar continuous miner methods while the contractor-run opencast pit utilises the truck and shovel mining method.

Currently, coal from the opencast operation (and underground operation further south) is transported to the Phola Coal Processing Plant (PCPP). The PCPP is a 50:50 joint venture between AAIC and South32 SA Coal Holdings (Pty) Ltd (South32). The coarse and fine discard produced by PCPP is currently stored in a surface discard facility at South32's Klipspruit Colliery. The facility is reaching capacity (110 ha) by 2021 and an alternative discard facility is required to service the discard requirement of Zibulo Colliery.

It is proposed that a new discard facility be developed over the mined-out opencast pit at Zibulo Colliery. The discard (generated at PCPP) will be transported to the site via a new discard conveyor. It is proposed that the new conveyor follow the alignment of the existing conveyor linking the South32 Klipspruit extension project to the PCPP. The proposed new conveyor will lie to the immediate north of the existing conveyor and cross the R545 on a dedicated bridge crossing. Soon after the crossing of the R545 the conveyor will turn north to the opencast pit for final discard disposal. The entire extent of the conveyor route is confined to mine property belonging to either South32 or AAIC.

Relevant Legislation

Aspects concerning the conservation of cultural resources are dealt with mainly in two acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

The National Heritage Resources Act

According to the above-mentioned act the following is protected as cultural heritage resources:

- a. Archaeological artefacts, structures and sites older than 100 years;
- b. Ethnographic art objects (e.g. prehistoric rock art) and ethnography;
- c. Objects of decorative and visual arts;
- d. Military objects, structures and sites older than 75 years;
- e. Historical objects, structures and sites older than 60 years;
- f. Proclaimed heritage sites;
- g. Grave yards and graves older than 60 years;
- h. Meteorites and fossils; and
- i. Objects, structures and sites of scientific or technological value.

The National Estate includes the following:

- a. Places, buildings, structures and equipment of cultural significance;
- b. Places to which oral traditions are attached or which are associated with living heritage;
- c. Historical settlements and townscapes;
- d. Landscapes and features of cultural significance;
- e. Geological sites of scientific or cultural importance;
- f. Sites of Archaeological and palaeontological importance;
- g. Graves and burial grounds;
- h. Sites of significance relating to the history of slavery; and
- i. Movable objects (e.g. archaeological, palaeontological, meteorites, geological specimens, military, ethnographic, books etc.).

A Heritage Impact Assessment (HIA) is the process to be followed in order to determine whether any heritage resources are located within the area to be developed as well as the possible impact of the proposed development thereon. An Archaeological Impact Assessment (AIA) only looks at archaeological resources. According to Section 38 (1) of the Act an HIA must be done under the following circumstances:

- a. The construction of a linear development (road, wall, power line, canal etc.) exceeding 300m in length.
- b. The construction of a bridge or similar structure exceeding 50m in length.
- c. Any development or other activity that will change the character of a site and exceed 5 000m² or involve three or more existing erven or subdivisions thereof.
- d. Re-zoning of a site exceeding 10 000m².
- e. Any other category provided for in the regulations of SAHRA or a provincial heritage authority.

Results of Desktop Heritage Review

Zibulo Colliery (opencast operation) is situated approximately 25 km south-west of eMalahleni in the Mpumalanga Province. The mine falls within the Wilge River Catchment, which consists of quaternary sub-catchment B20G of the Limpopo-Olifants primary drainage region. The study area drains into Saalklaspriest via one of its tributaries, which in turn drains into the Wilge River. The N12 highway is situated directly north of the site, and the R545 runs along the western boundary of the site.

The study area is located on portions of the farms Ogiesfontein 4IS & Klipfontein 3IS, in the eMalahleni Magisterial district and Nkangala District Municipality of Mpumalanga. It is situated 2km north of Ogies and, 25km south-west of eMalahleni (Witbank).

The area would have been used in the past (pre-mining) mainly for agricultural purposes as is visible on aerial images (Google Earth) of the study area. Extensive mining activities over the last 15 or so years have had a major impact on the area, with little of the original natural landscape still intact. As a result of previous farming activities and the recent mining operations if any sites, features or material of cultural heritage (archaeological and/or historical) origin or significance did exist here, it would have been extensively disturbed or destroyed.

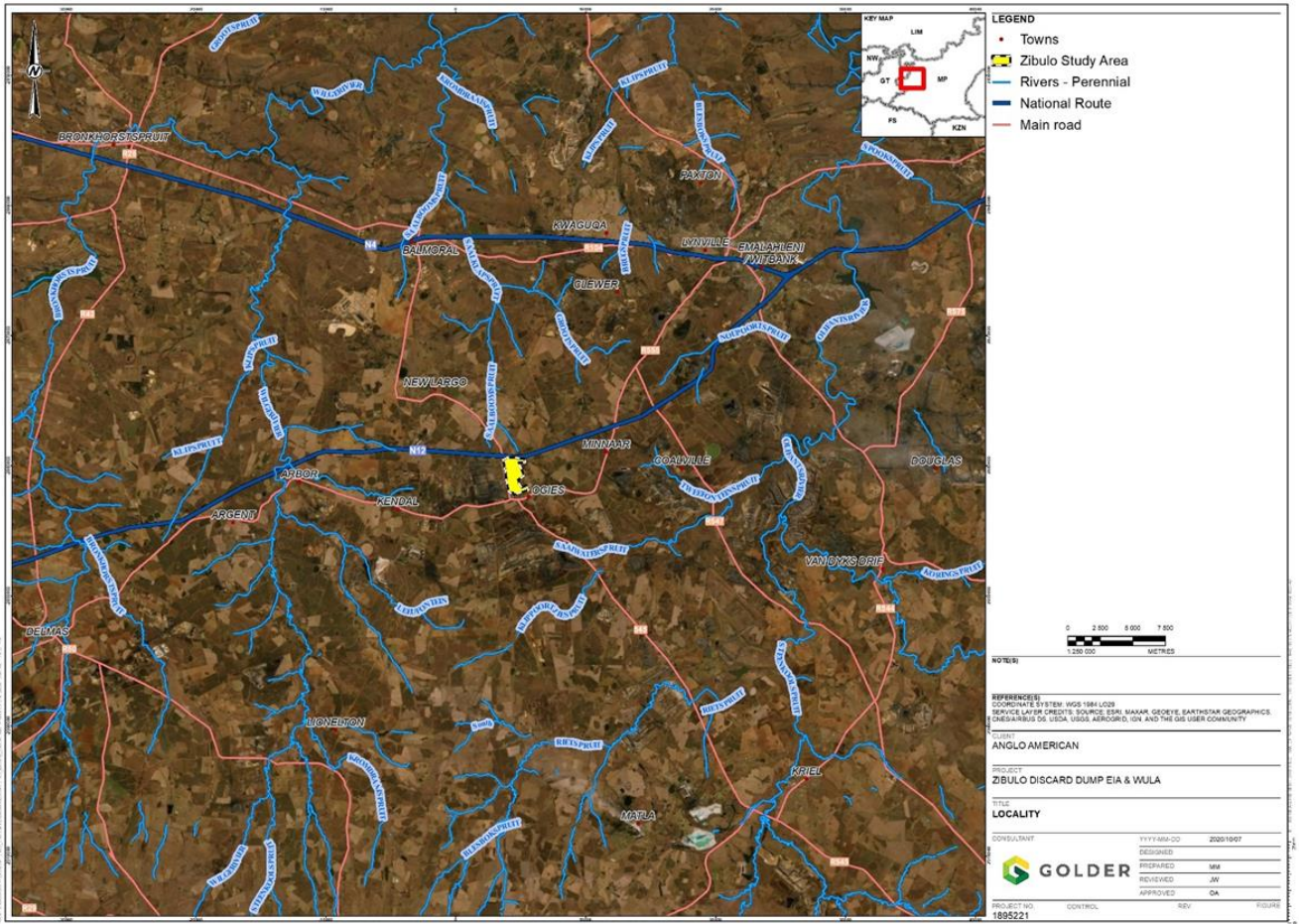


Figure 1: General Location Map (courtesy Golder Associates Africa (Pty) Ltd.).

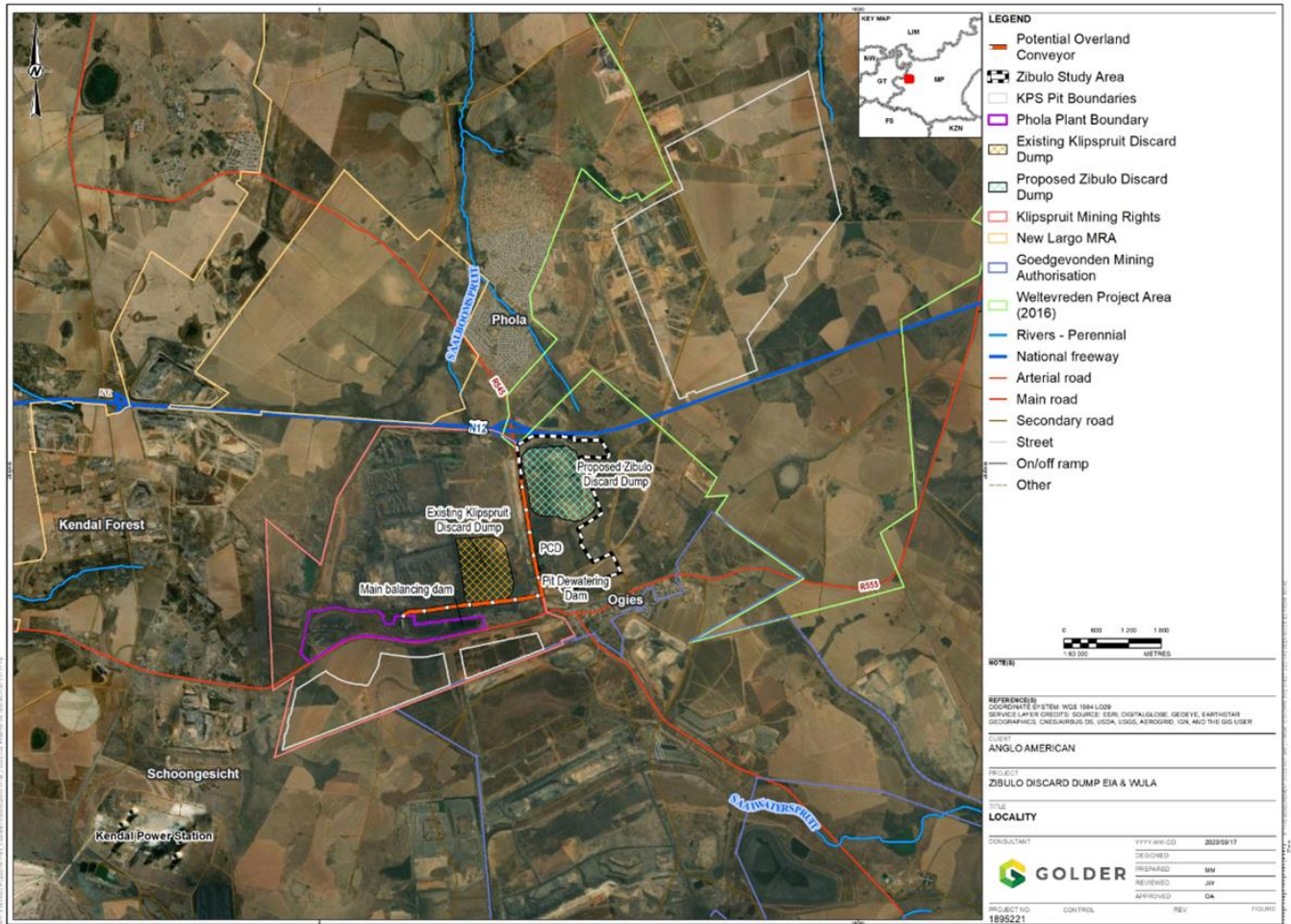


Figure 2: Locality of the proposed discard facility and proposed conveyor route (courtesy Golder Associates Africa (Pty) Ltd.)

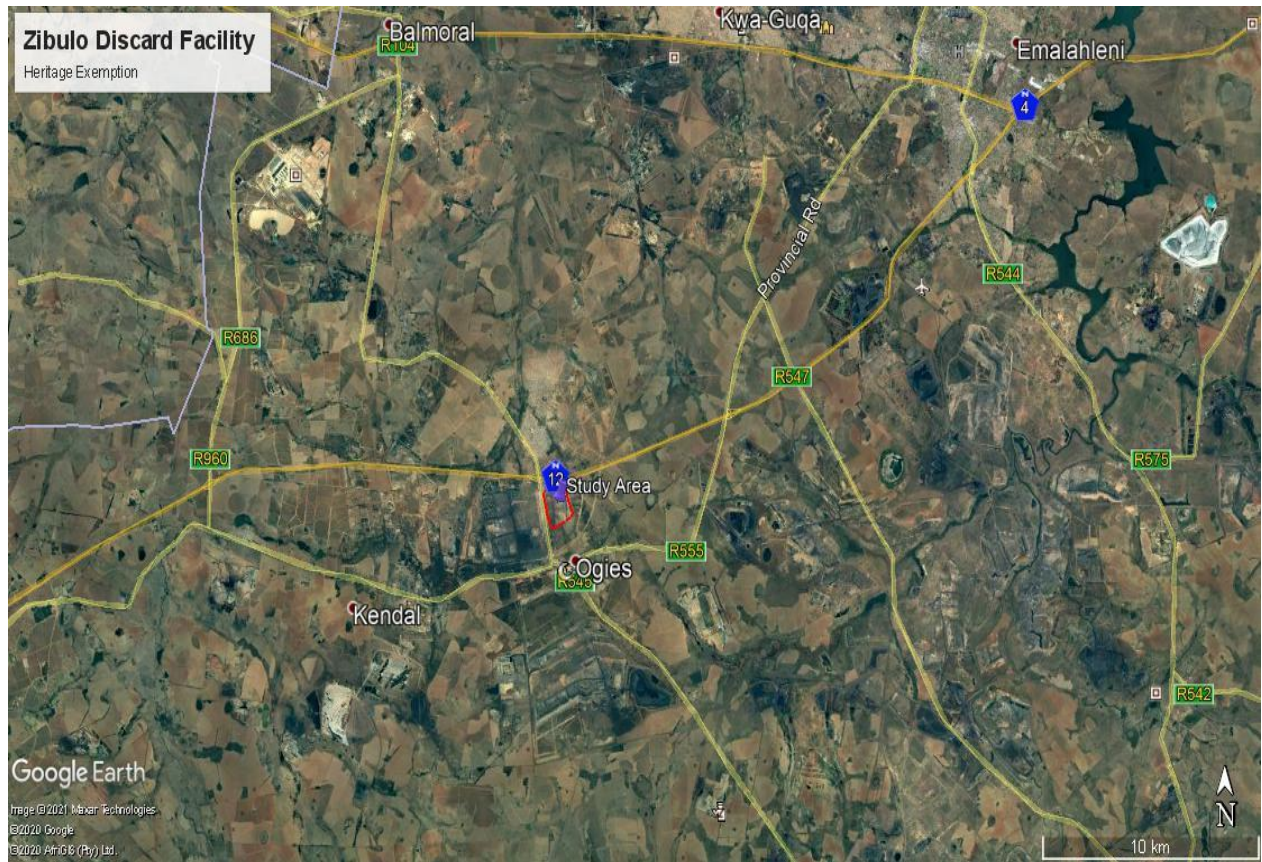


Figure 3: General location of study area (Google Earth 2021).



Figure 4: Closer view of the study and mining area where the Zibulo Discard Facility Project is proposed (Google Earth 2021).

The Stone Age is the period in human history when lithic (stone) material was mainly used to produce tools. In South Africa the Stone Age can be divided basically into three periods. It is however important to note that dates are relative and only provide a broad framework for interpretation. A basic sequence for the South African Stone Age (Lombard et.al 2012) is as follows:

Earlier Stone Age (ESA) up to 2 million – more than 200 000 years ago

Middle Stone Age (MSA) less than 300 000 – 20 000 years ago

Later Stone Age (LSA) 40 000 years ago – 2000 years ago

It should also be noted that these dates are not a neat fit because of variability and overlapping ages between sites (Lombard et.al 2012: 125).

The closest known Stone Age occurrences are Late Stone Age sites at Carolina and Badplaas, and rock painting sites close to Machadodorp, Badplaas and Carolina. Rock art is also found close to the Olifants River and at the Rietspruit near Witbank (eMalahleni) [Bergh 1999: 4-5]. Some open-air surface sites with scatters of Stone Age artefacts were identified by Matakoma & CRM Africa at the Impunzi Division of Duiker Mining in 2000 (p.4), but these sites are not located close to the current expansion study area.

The Iron Age is the name given to the period of human history when metal was mainly used to produce metal artefacts. In South Africa it can be divided in two separate phases (Bergh 1999: 96-98), namely:

Early Iron Age (EIA) 200 – 1000 A.D.

Late Iron Age (LIA) 1000 – 1850 A.D.

Huffman (2007: xiii) however indicates that a Middle Iron Age should be included. His dates, which now seem to be widely accepted in archaeological circles, are:

Early Iron Age (EIA) 250 – 900 A.D.

Middle Iron Age (MIA) 900 – 1300 A.D.

Late Iron Age (LIA) 1300 – 1840 A.D.

Based on Tom Huffman's research LIA sites, features or material that could present in the larger area will be related to the Ntsuanatsatsi facies of the Urewe Tradition, dating to between AD1450 and AD1650 (Huffman 2007: 167) or the Makgwareng facies of the same dating to between AD1700 & AD1820 (Huffman 2007: 179). According to De Jong no Iron Age sites or features were identified during an assessment of the Goedgevonden Mining area that is situated in close proximity to the Zibulo study area and if any did exist here in the past recent farming and mining activities would have disturbed or destroyed any traces (De Jong 2007: 20). Again, during their 2000 Phase HIA for Duiker Mining, Matakoma & CRM Africa did identify some remnants of LIA sites in the general area (2000: p.4).

No known Iron Age sites, features or cultural material are known to exist in the specific study area.

Historians agree that the earliest Africans to inhabit in the Lowveld in Mpumalanga were of Sotho, or more particularly Koni-origin. According to Bergh no signs of major Stone Age or Iron Age terrains are present in the vicinity of the Ogies area. The Ogies area was vacant of any settlement until the advent of the nineteenth century, when the Phuthing Tribe was prominent in the area to the north thereof (Celliers 2015: 11). The Difaqane (Sotho), or Mfekane ("the crushing" in Nguni) was a time of bloody upheavals in Natal and on the Highveld, which occurred around the early 1820's until the late 1830's. It came about in response to heightened competition for land and trade, and caused population groups like gun-carrying Griquas and Shaka's Zulus to attack other tribes. Mzilikazi and his raiders had moved from the Northern Nguni area to the area north of the Vaal River by 1821. It has been recorded that the Ndebeles first attacked the Phuthing tribe, which in turn migrated to the south of the Vaal River and joined groups of Southern Sotho speakers. The Phuthing and Southern Sotho tribes moved westward and northward and started raiding Tswana communities in the surrounding area. The Phuthing were commanded first by Chief Tshane, and later Ratsebe. As the Phuthing under Ratsebe moved eastwards along the Vaal River, they collided with Mzilikazi's Ndebele once more. The Phuthing and other raiding groups were finally taken captive in 1823 by Mzilikazi's men (Celliers 2015: 10-11).

During the time of the Difaqane, a northwards migration of white settlers from the Cape was also taking place. Some travellers, missionaries and adventurers had gone on expeditions to the northern areas in South Africa – some as early as in the 1720's. One such an adventurer was Robert Scoon, who formed part of a group of Scottish travellers and traders who had travelled the northern provinces of South Africa in the late 1820s and early 1830s. Scoon had gone on two long expeditions in the late 1820s and once again ventured eastward and northward of Pretoria in 1836. During the latter journey, he passed by the area where Ogies is located today (Celliers 2015: 11). By the late 1820's, a mass-movement of Dutch speaking people in the Cape Colony started advancing into the northern areas. This was due to feelings of mounting dissatisfaction caused by economical and other circumstances in the Cape. This movement later became known as the Great Trek. This migration resulted in a massive increase in the extent of that proportion of modern South Africa dominated by people of European descent. As can be expected, the movement of whites into the Northern provinces would have a significant impact on the black farmer - herders who populated the land. By 1860, the population of whites in the central Transvaal was already very dense and the administrative machinery of their leaders was firmly in place. Many of the policies that would later be entrenched as legislation during the period of apartheid had already been developed (Celliers 2015: 11-12).

The discovery of diamonds and gold in the Northern provinces had very important consequences for South Africa. After the discovery of these resources, the British, who at the time had colonized the Cape and Natal, had intentions of expanding their territory into the northern Boer republics. This eventually led to the Anglo-Boer War, which took place between 1899 and 1902 in South Africa, and which was one of the most turbulent times in South Africa's history. During the British march into the Transvaal between February and September 1900, several troops passed by the area where Ogies is situated today. The battalions of Lieutenant Generals J. French, R. Pole-Carew and F. Roberts all travelled close by the Witbank area and through Middelburg. A railway line ran along this route at the time (Bergh, 1999: 51). At the time of the War, two railway stations were located in the vicinity of the Witbank/Ogies area, and close to each a black concentration camp had been established. At Middelburg, about 20 kilometers to the east of Witbank, one white and one black concentration camp was also set up. No skirmishes took place in the direct vicinity of the Ogies area (Celliers 2015: 12-13).

Ogies is a small town situated 27 km south of Witbank in the Mpumalanga province. It is surrounded by coal-mines. The name is derived from the farm Oogiesfontein (fountain with many "eyes") on which the railway station was built. According to Celliers the name of the town was originally misspelt as Oogies, but corrected by the Place Names Commission in 1939. Ogies is on the link railway from Springs to Witbank and is the junction for the Broodsnyersplaas, where a large power station was erected (Celliers 2015: 17). Celliers also looked at historical maps of the general and specific area during his 2015 assessment. Since the mid 1800's up until the present, South Africa had been subdivided into various districts. Since 1945, the area where Ogies is located formed part of the Lydenburg district. As of 1872, the farm area was located within the Middelburg district. The Witbank district was however proclaimed in 1925, and the farms were located in this area. As of 1977 the properties fell under the jurisdiction of the Witbank Magisterial Area. This was still the case by 1994 (Celliers 2015: 12-17).

The proposed Zibulo Discard Facility Project study area for which APAC cc was appointed to provide a Motivation from Full Phase 1 HIA for has been extensively impacted by past and recent on-going mining operations. Prior to that, agricultural activities were also occurring on a large scale. This is clear from older aerial images of the areas showing the impact of these activities. In 2006 the area still had a largely agricultural landscape (**See Figure 5 below**). By 2010 this had largely changed to mining with the impacts of these activities very clear (**See Figure 6 below**). The possibility of any sites, features or material of any cultural heritage (archaeological and/or historical) origin or significance being present here is therefore highly unlikely. A 2002 HIA by Dr. Johnny van Schalkwyk (for the Zondgasfontein Mining Development as part of the original Zibulo Mine EIA) found a number of cemeteries and grave sites in the larger area (Van Schalkwyk 2002:7; 10-12), but none are located close to the Zibulo Colliery study and development area.

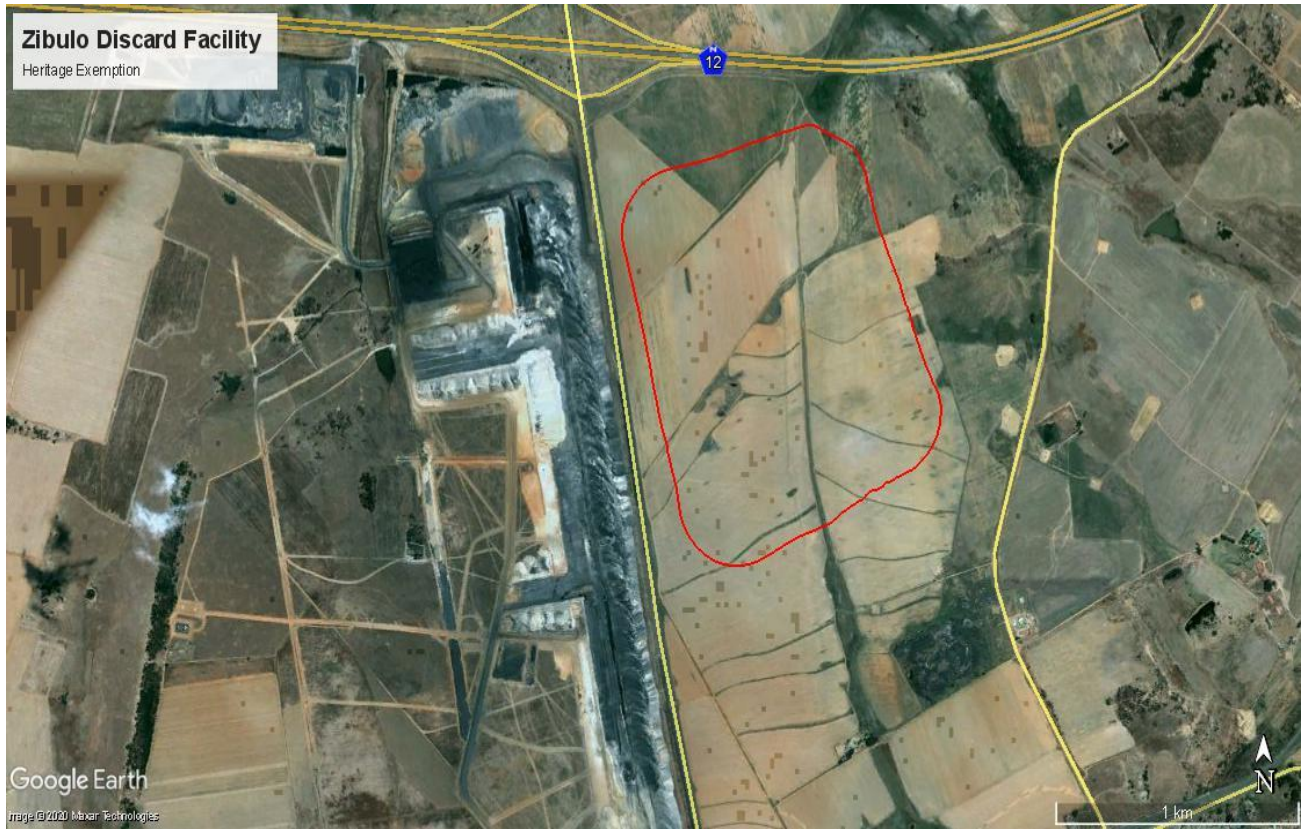


Figure 5: Closer view of the Zibulo Colliery study area in 2006. Note the extensive agricultural fields (Google Earth 2021).



Figure 6: By 2010 the agricultural nature of the study area had largely been altered through mining activities (Google Earth 2021).

Based on these aerial images and the heritage desktop study, it is therefore deemed highly unlikely that any sites, features or material of cultural heritage (archaeological and/or historical) origin might exist in the study and proposed development area. Recent historical activities (agricultural and later and current mining operations) would have impacted extensively on any if they did exist here in the past and would have disturbed or destroyed them to a large degree. However, known archaeological and historical sites, features and material have been identified in the larger geographical area and this needs to be taken into consideration during any actions related to the proposed development.

It is therefore recommended that Exemption from a Full Phase 1 Heritage Impact Assessment (HIA) for the proposed Zibulo Colliery Opencast Operations' Discard Facility Project be granted to the applicants taking into consideration the following:

The subterranean nature of cultural heritage (archaeological and/or historical) resources must always be kept in mind. Should any previously unknown or invisible sites, features or material be uncovered during any development actions then an expert should be contacted to investigate and provide recommendations on the way forward. This could include previously unknown and unmarked graves, as well as fossil material.

Should there be any questions or comments on the contents of this document please contact the author as soon as possible.

Kind regards

A handwritten signature in black ink, appearing to read 'Anton Pelser', written in a cursive style.

Anton Pelser

References

1. General & Closer Views of Study Area location: Google Earth 2021.
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