



an agency of the
Department of Arts and Culture

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CaseID: 11829

Date: Friday October 12, 2018

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Interim Comment

In terms of Section 38(8), 38(4) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Exxaro Coal Mpumalanga (Pty) Ltd

An amendment and consolidation process of the Environmental Management Programme (EMPr) for the Matle Coal Mine Mining Right Area to comply with the Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA), National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), the NEMA Environmental Impact Assessment (EIA) Regulations, 2017 (GNR 982), and the National Water Act, 1998 (Act No. 36 of 1998) (NWA).

Exxaro Matla Coal (Pty) Ltd are proposing to consolidate all their existing EMP's for the Exxaro Matla Coal Mine and they propose to extract all the pillars (to stope) from the previous underground mining areas, which will be 3127 ha of the over 20000 ha of the mine rights extent. With an additional area within the mine right a proposed 232.17 ha for new surface infrastructure. As part of the application, the mine wishes to. This will collapse the roof of the underground mining areas and cause the surface to subside into remaining cavity. The mine is located in the eMalahleni Coal Mine area, within the Goven Mbeki Local Municipality, Victor Khanye Local Municipality and eMalahleni Local Municipality of Mpumalanga Province.

GCS Water and Environment (Pty) Ltd have been appointed by Exxaro Matla Coal (Pty) Ltd to undertake the Scoping and Environmental Impact Assessment (S&EIA) process in respect of listed activities in the Environmental Impact Assessment (EIA) Regulations 2017, that require an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA), a Water Use License in terms of the Water Use Licence Regulations, March 2017 in terms of the National Water Act, 36 of 1998 and the amendment of the mine works programme in terms of section 102 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended).

To meet the requirements of section 38(8) of the National Heritage Resources Act, no 25 of 1999, a Heritage Impact Assessment (HIA) by Digby Wells Environmental (Pty) Ltd.'s inhouse heritage specialists has been submitted to South African Heritage Resources Agency (SAHRA) for commenting.

Hardwick, S. and du Piesanie, J. January 2018. Heritage Resources Management Process for the Exxaro Matla Mine Heritage Impact Assessment.



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The author undertook a field assessment of the proposed development area and identified 19 burial grounds, 1 stone walled site, 7 historical structures, and 6 farm steads. Most of these heritage resource may be affected by subsidence cause by stooping of the underground mining area.

The following sites are located close to the proposed mining area and may be affected by subsidence:

Burial Grounds and Graves: BGG-003, BGG-004, BGG-005, BGG-008, BGG-009, BGG-010, BGG-011, BGG-013, BGG-017; and

Historic Built Environment: STE-002, STE-003, STE-004, STE-005, STE-006, STE-007, and WF-002, WF-003, WF-003, WF-004, and WF-006.

The authors request an exemption from undertaking a palaeontological Impact Assessment for the proposed stooping activities that will impact on the remaining sandstones and shales of the Vryheid Formation.

The report recommendations that a detailed land survey of the mining area must be undertaken to determine the precise location of the heritage resources in relation to the underground mining areas. Heritage resources located within these regions must be noted and appropriate conservation measures implemented. If not possible then the additional recommendations must be implemented:

- Project design must be amended to allow for the conservation of Burial Grounds and Graves *in situ*. All Cemeteries located within 15m of stooping activities must be protected from subsidence and monitored regularly as part of the Heritage Site Management Plan (HSMP). This may mean amending the existing HMP for burial grounds.
- The project design must be amended to allow for the conservation of the battle field of Bankenveld and site STE-003, if this is not possible the subsidence area must be rehabilitated to minimise visual impacts and to retain its sense of place and the historic.
- The fossil Finds Procedure under section 10.1 along with a more detailed procedure must be incorporated into the Environmental Management Plan (EMP).

Interim Comment

SAHRA Archaeology, Palaeontology, Meteorites (APM) Unit accepts the most recent HIA report submitted to the case and the recommendations provided in the report as summarised above. Except, SAHRA cannot accept the recommendation for exemption from PIA request, because it was not reviewed by a suitably

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qualified palaeontologist. Nor do the sections on palaeontology in the HIA report comply with the 2012 Minimum Standards for the Palaeontological component Heritage Impact Assessment reports as there is no 1:50 000 geological map. Therefore, SAHRA requires a field based palaeontological impact assessment of the proposed mining and stooping areas to be conducted by a suitably qualified palaeontologist, and submitted to the case on SAHRIS before this case is processed further.

The following condition must be included in the EMPr along with these additional conditions:

The Burial Grounds and Graves (BGG) Unit accepts the recommendations for the burial grounds identified in the HIA report. SAHRA BGG further recommends that should the mine be unable to conserve the burial grounds in situ, then a social consultation process to identify the family members of the sites and grave relocation process must be initiated. This must be done in terms of Chapter IX of the NHRA Regulations and section 36(3) of the NHRA.

If any historical buildings will be impacted by the proposed development, then comment and permits in terms of section 34 must be sort from the Mpumalanga Heritage Resources Authority (MPHRA). Please contact Benjamin Moduka at bmoduka@mpg.gov.za or call the offices at 013 766 5196.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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Phillip Hine
Acting Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:
Direct URL to case: <http://www.sahra.org.za/node/409014>
(DMR-MP, Ref: MP30/5/1/2/3/2/1/(327) MR)