



an agency of the
Department of Arts and Culture

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CaseID: 12164

Date: Monday May 20, 2019

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Final Comment

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

Attention: Sasol Mining (Pty) Ltd

PO Box 5486
Johannesburg
2000

Environmental Regulatory Process in terms of the Thubelisha, Trichardtsfontein and Vaalkop Mining Right Areas, Mpumalanga Province

Sasol Mining (Pty) Ltd is proposing to consolidate their existing mining operations in terms of the Minerals and Petroleum Resources Development Act, 28 of 2002, as amended. As part of their consolidation, they wish to construct two ventilation shafts for the underground mining activities. The proposed mine right areas are located on various farms, with a total extent of 23 316 ha, in the Govan Mbeki Local Municipality of the Mpumalanga Province.

Digby Wells Environmental (Pty) Ltd have been appointed to undertake the Scoping and Environmental Impact Assessment (S and EIA) process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 107 of 1998, as amended (NEMA). As regulated in the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 as amended. Their in-house heritage specialists have compiled a Heritage Impact Assessment with a Palaeontology assessment section, and the report was submitted to SAHRA, in terms of section 38 (8) of the National Heritage Resources Act, 25 of 1999 (NHRA). An Interim Comment was issued on 9/07/2018 requesting a Palaeontological Impact Assessment (PIA) by a suitably qualified palaeontologist to be undertaken and submitted to the case. This has since been submitted for commenting.

Bamford, M. February 2019. Palaeontological Impact Assessment for the proposed development of coal mining, Thubelisha Project, Mpumalanga Province.

The author conducted a field assessment with a colleague and found that the development area is underlain by hard sandstone rocks of the Vryheid Formation, Ecca Group, Karoo Supergroup. This formation is known to contain fossilised *Glossopteris flora* plant impressions and other microfossils. None have been recorded in the area and surface exposures of the sandstone rocks did not contain any plant impressions. Therefore, the



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author rates the potential impacts to the fossil heritage from mining coal in the area will be extremely low. The author recommends that the Fossil Chance Finds Procedure included in the report under section 8 must be added to the EMPr report for implementation. If any fossils are uncovered once construction begins, then a they must be conserved in situ and a palaeontologist called in to inspect the finds.

Final Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit accepts the submitted PIA report and the HIA report prior to it. The recommendations for a Fossil Chance Finds Procedure and the development of a Cultural Management Plan (CMP) for the entire mine right area must be complied with.

SAHRA has no objections to the proposed establishment of the mine if the above recommendations are adhered to. The following additional conditions must also be included in the EMPr:

- In the event that fossils are uncovered during construction then construction must cease within the immediate vicinity, a buffer of 30 m must be established, and a palaeontologist called in to inspect the finds. The palaeontologist must obtain a section 35(4) permit in terms of NHRA and Chapter IV NHRA Regulations, before any fossils are collected.
- If there are any new heritages resources are discovered during construction and operation phases of the proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer.
- If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer. Mitigation will only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). You may contact SAHRA APM Unit for further details: (Nokukhanya Khumalo/Phillip Hine 021 202 8654).
- If any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Thingahangwi Tshivase/Mimi Seetelo 072 802 1251).

The Final EIA report and its appendices must be uploaded to the case once they are available for public review.

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Once a decision from the competent authority is reached, the record of decision must be submitted to the case.

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

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/488131>
(DMR-MP, Ref: MP30/5/1/2/2/138/MR)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.