

Our Ref: 12615



an agency of the  
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
www.sahra.org.za

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CaseID: 12615

Date: Monday August 13, 2018

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## Interim Comment

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

Attention: Forzando Coal Mines (Pty) Ltd

**Forzando Coal Mines (Pty) Ltd wishes to extend the current mining activities at Forzando South underground coal mines (under Mining Right MR380) by inclusion of contiguous areas which are held under Prospecting Rights 1035PR and 1170PR. The proposed extension does not intend to develop new surface infrastructure. There will be a need for two new ventilation shafts at the Forzando South mining area.**

The Kalabasfontein Project extent of the proposed new mine areas is around 15,478,296m<sup>2</sup> and underground mining will consist of bord and pillar methods 22 m below surface level. This mine is located on the farm Kalabasfontein 232 IS, in the Msukaligwa Local Municipality of the Mpumalanga Province.

Environmental Impact Management Services (Pty) Ltd is undertaking a Scoping and Environmental Impact Assessment (S&EIA) process on behalf of Forzando Coal Mines (Pty) Ltd, 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 Licence 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). A BID document has been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

In terms of the National Heritage Resources Act, no 25 of 1999 (NHRA), heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are generally protected. They may not be disturbed without a permit from the relevant heritage resources authority. In contexts of development applications, the developer must ensure that no heritage resources will be impacted by the proposed development, by lodging an application to SAHRA and submitting detailed development specifications as a notification of intent to develop. If the application is made in terms of s. 38 (8) of the NHRA then it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is undertaken, as s. 38(2)a does not apply. Such a study should follow the SAHRA 2007 impact assessment guidelines and section 38(3).

It is noted that a Heritage Impact Assessment and Palaeontological Impact Assessment of the proposed

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development area will be undertaken by a qualified archaeologist and palaeontologists respectively, and the reports will be submitted to SAHRA in the EIA phase. The PIA should contained detailed fossil finds procedure and monitoring plan for the life of the mine.

SAHRA APM unit will process the case further once the above requested reports are 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

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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/507639>

**Terms & Conditions:**

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.

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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.