



an agency of the
Department of Arts and Culture

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CaseID: 13958

Date: Tuesday April 28, 2020

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Final Comment

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

Attention: Minah Moabi

Universal Coal (Pty) Ltd

Eloff Mining Company (Pty) Ltd has been granted a Mining Right Mining Right (MP30/5/1/2/2/10169MR), in terms of the Minerals and Petroleum Resources Development Act (Act 28 of 2002 – MPRDA) as amended, for the mining of the Eloff Coal Resource (Eloff Project) and further applied for Environmental Authorisation (“EA”) for the mining of coal and associated activities for Phase 1 Pit 1 of the Eloff Project which has been granted on the 25th April 2019. In addition to the above, Eloff Mining Company wishes to apply for EA for the development of a Eloff Phase 3 (“Phase 3 Project) opencast mining pit and associated infrastructure on the southern-eastern part of the Eloff Project mining right and adjacent to the existing Kangala Colliery covering an extent of approximately 251 hectares (ha) (herein referred to as the Phase 3 Project). The proposed Phase 3 Project extends over portions 14, 15, 16, 18, 19, 20, 22, 23, 24 and 59 of the farm Strydpan 243 IR located approximately 7.5km south-east of the town Delmas in Victor Khanye Local Municipality, within the Nkangala District Municipality, Mpumalanga Province. The proposed Phase 3 Project is anticipated to use a standard truck and shovel mining method based on strip mining design and layout. The existing Coal Handling and Processing Plant (CHPP) at the adjacent Kangala Colliery will be utilised, and it is anticipated that no new surface infrastructure such as offices, dams, stores facility, workshops, or change house will be required for the project. A full Environmental Impact Assessment (EIA) process is being undertaken in support of the EA application. A new Water Use Licence Application (WULA) for the relevant water uses associated with the project is also underway as a separate application which is being undertaken by GCS Water and Environmental Consultants (GCS).

Eloff Mining Company (Pty) Ltd are proposing to establish an opencast mining pit as part of the Eloff phase 3 mining project. The mined coal will be processed at the existing coal handling and processing plant at Kangala Mine. The mine will be 251 ha in extent, located on Portions 14, 15, 16, 18, 19, 20, 22, 23, 24, and 59 of the farm Strydpan 243 IR, in Victor Khanye Local Municipality of the Mpumalanga Province.

Environmental Impact Assessment Services (Pty) Ltd have submitted a Final EIA report on behalf of the applicant, Eloff Mining Company (Pty) Ltd, in support of an Integrated Scoping and Environmental Impact Assessment application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA), as amended. A Water Use License in terms of the National Water Act, No. 36 of 1998



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(NWA), in respect of listed activities in the NEMA 2014 EIA Regulations, as amended. A mine right amendment application is also being applied for in terms of section 102 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended).

In order to meet the requirements of SAHRA for commenting in terms of section 38(8) of the National Heritage Resources Act, no. 25 of 1999 (NHRA), a Heritage Scoping report by PGS Heritage has been submitted to SAHRA for commenting. SAHRA issued on 05/09/2019, an Interim Comment noting that a HIA and PIA will be submitted to SAHRA in the EIA phase of the EA application. On 05/03/2020 the HIA and EIA documents were submitted for comments, without the PIA report. SAHRA issued an Interim Comment dated 03/04/2020 requesting the HIA must indicate the age of the identified heritage sites and that a PIA report must be submitted to the case. This was done on 07/04/2020.

Fourie, W. April 2020. Heritage Impact Report, for Inclusion in the Environmental Impact Report for the Proposed Kangala Extension Project, Mpumalanga.

The author states that the KG 1 and 9 are already in the process of being relocated following the conditions of SAHRA permit ID 2897. Burial Grounds KG 5 and 8 will also require a grave relocation process as they will be impacted by the proposed mining activities. The author clarified that the buildings identified in the May 2019 field survey were mapped in the 1967 topographical map of the area. They are all over 60 years old, but only KG06 should be mitigated with a permit from the Mpumalanga Provincial Heritage Resources Authority, the rest are of very low significance.

Butler, E. April 2019. Palaeontological Impact Assessment for the Proposed Kangala Extension Project near Delmas, Mpumalanga Province.

The proposed mine right area is completely underlain by sandstone rocks of the Vryheid Formation, which is of very high palaeontological significance. The author recommends chance finds procedures to be included in the EMPr for the duration of the mining activities.

Final Comment

South African Heritage Resources Agency (SAHRA) Archaeology, Palaeontology and Meteorites (APM) Unit accepts the amended HIA and the PIA reports submitted to the case for commenting and has no objection to the development going ahead on the following conditions:



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The Chance Finds Fossil Procedure as detailed in the PIA must be included in the EMPr.

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.

The Burial Grounds and Graves (BGG) Unit accepts the recommendations for the burial grounds identified in the HIA report. Before relocation may occur, permission from the family members must be sort. This must be done by undertaking a social consultation process to identify the family members of the site. This must be done in terms of Chapter IX of the NHRA Regulations and section 36(3) of the NHRA.

In the unlikely 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 EIAr and its appendices must be submitted to the case and once a Record of Decision from the competent authority is issued, it must also be submitted to the case. This comment must be forwarded to the competent authority and proof of submission must be uploaded to the case.

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

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above in the case header.

Yours faithfully

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/524556>

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.