



an agency of the
Department of Arts and Culture

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CaseID: 14171

Date: Wednesday January 15, 2020

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Final Comment

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

Attention: South32 SA Coal Holdings (Pty) Limited

The Vandyksdrift Central (VDDC) area falls within the footprint of historic underground mining operations at the old Douglas Colliery. In 2007, an amendment of the EMPR for the Douglas Colliery operations was approved, to allow pillar mining (opencast) of the area previously mined by underground bord and pillar mining. This EMPR Amendment included limited additional infrastructure in support of the opencast mining operations, as it was assumed at that stage that existing infrastructure will be used. The Consultation Scoping Report (CSR) for the proposed infrastructure development was made available for public review from 8 October to 7 November 2018, which described the proposed infrastructure development. Prior to finalisation of the Scoping Report, several changes to the proposed application are required and therefore a Revised CSR has been compiled. In addition to changes in the infrastructure layout, the proposed VDDC opencast pit boundary as determined through the pre-feasibility investigation differs from the mine layout in the 2007 approved EMPR amendment. An area of approximately 196 hectares in the latest mine lay-out was not included in the previous mine layout and is therefore not approved to be opencast mined. This application is taking place in Mpumalanga, South Africa.

South32 SA Coal Holdings (Pty) Ltd Wolvekrans Colliery is proposing to amend their existing mine right licence for the Vandyksdrift Colliery operations in order to construct additional infrastructure to support the proposed opencast mining. The mine is located on various farms in eMalahleni Local Municipality of the Mpumalanga Province. The additional 192 hectares are proposed for the open cast pit and the proposed infrastructure includes the following:

- Storm water management structures (drains and berms);
- Water management measures for the management of mine impacted water;
- Overburden dumps;
- Run-of-Mine (ROM) coal stockpile areas;



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- Mixed ROM coal and slurry stockpile areas;
- Topsoil stockpiles following clearance of vegetation;
- Pipelines for the conveyance of water;
- Hard park area and brake test ramp; and
- Haul roads and service roads.

Jones and Wagner Engineering and Environmental Consultants (Pty) Ltd have undertaken a Scoping and Environmental Impact Assessment (S&EIA) application process on behalf of the applicant, Wolvekrans Colliery, in support of an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) and in terms of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended) in respect of listed activities in the NEMA 2014 Environmental Impact Assessment Regulations, as amended.

The EIA report, Heritage Impact Assessment (HIA) report by Dr J Pistorius, and the Palaeontological Impact Assessment (PIA) report by Dr M. Bamford have been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

Pistorius, J.C.C. July 2019. A Phase I Heritage Impact Assessment (HIA) Study for The Proposed Vandyksdrift Central (VDDC) Mining and Infrastructural Development in The Mpumalanga Province.

The author undertook a field survey of the proposed mine area and identified two graveyards both of very high cultural significance and a historical railway and pump stations. GY01 (which is a graveyard) and all historical structures will not be impacted by mining activities. However, GY02 will be impacted by mining activities and the author recommends the exhumation and reburial of the graves to a local municipal cemetery.

Bamford, M. July 2019. Palaeontological Impact Assessment for the proposed infrastructure development and opencast mining at Vandyksdrift Central (VDDC) Section of South32's Wolvekrans Colliery. Mpumalanga Province.

The proposed mining will impact very highly sensitive shale, sandstone rocks of the Permian aged Vryheid



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Formations of the Witbank coal fields. The top coal seams are 15 – 110m below ground therefore, there is very low surface occurrence of any fossiliferous rocks. Exposure of the fossiliferous rocks will occur once mining commences as such the author recommends the Fossil Chance Finds Procedure under Appendix A to be included in the EMPr for implementation throughout the life of the mine.

Final Comment

The South African Heritage Resources Agency (SAHRA) Archaeology, Palaeontology and Meteorites (APM) Unit accepts the HIA and the PIA reports submitted to the case for commenting and has no objection to the development going ahead. The Chance Finds Fossil Procedure as detailed in the PIA must be included in the EMPr, and

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 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 SAHRA Burial Grounds and Graves Unit (BGG) accepts the HIA and the PIA reports submitted to the



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case for commenting and has no objection to the development going ahead. The following additional conditions must be included in the EMP:

The Burial Grounds and Graves (BGG) Unit accepts the recommendations for the two burial grounds identified in the HIA report, HIA to provide and include a full cultural management (CMP) or management approach of GY01 grave site, that provides access control details and maintenance plan conducted in collaboration with the affected community. SAHRA BGG further supports the recommendations that Site GY02 follow a full Phase 2 grave relocation process. This must be done in terms of Chapter IX of the NHRA Regulations and section 36(3) of the NHRA. The HIA report to include the cease of operations and the notification of the South African Police Service (SAPS) as well as the SAHRA upon discovery of human remains during the course of development. In the HIA report, referencing specifically 'Table 6', practitioner to amend the significance rating from "Very Low" for GY01 to "High significance". Impact ratings for both burial grounds are appropriately scaled.

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 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 above in the case header.

Yours faithfully



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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/527099>
(DMR-MP, Ref:)

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.