



## Interim Comment

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

Attention: USIMBITHI MINING (PTY) LTD  
PRIVATE BAG X1838  
MIDDELBURG  
1050

### PROPOSED WONDERFONTEIN COLLIERY NEAR BELFAST IN THE MPUMALANGA PROVINCE OF SOUTH AFRICA

*Miller, S. (March 2013). A phase 2 architectural documentation of two farmyards on the farm Wonderfontein 428 JS district Belfast, Mpumalanga Province.*

*Pelser, A. July 2013. A REVISION OF PHASE 1 HIA FOR THE PROPOSED WONDERFONTEIN COLLIERY NEAR BELFAST IN MPUMALANGA*

*Rubidge, B. August 2013. PALAEOLOGICAL DESKTOP STUDY, WONDERFONTEIN COLLIERY, SOUTHWEST OF BELFAST, MPUMALANGA PROVINCE*

Thank you for your message dated 5 August 2013 and the above Desktop Palaeontological Study. The above studies were submitted for a proposed new colliery on the Farms Wonderfontein 428, Grootpan 456 and Klippan 452, south west of Belfast in Mpumalanga. The proposed activity includes open-cast and underground coal mining. The Wonderfontein Colliery Project area covers pristine stretches of land as well as land previously used for agriculture. The proposed open cast mining will cover approximately 1320ha and the underground mining will cover 146ha.

The above studies were submitted to SAHRA for comment in terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) which states that the consenting authority must ensure that the evaluations done for heritage as part of the EIA process fulfills the requirements of the relevant heritage resources authority.

Our previous letter dated 15 July 2013 indicated that SAHRA's requirements had not been fulfilled and noted that;

1. Information explicitly pertaining to the impact of the proposed mining development on archaeological and palaeontological resources is still outstanding
2. SAHRA has no objection to the exhumation of GN1 and GN5 subject to the appropriate permits being granted in terms of Section 36 of the National Heritage Resources Act. It is noted that most of the affected burials in GN5 are younger than 60 years and therefore fall outside of the jurisdiction of the NHRA.





Enquiries: Jenna Lavin  
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CaseID: 1487

Date: Thursday August 15, 2013

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3. The report regarding the cultural landscape is unclear and conflicting. The cultural landscape has not been sufficiently described to warrant destruction. As such, it is SAHRA's contention that the mine plan must be amended to ensure the protection of the heritage resources identified as HH02 and GY08.

4. SAHRA requires more information regarding the identified structures before being able to comment on their heritage significance. This additional information must be in the form of an assessment of the significance of the identified structures in their context, and must include adequate recordings of the structures.

Based on the information contained in the submitted desktop PIA and the message sent by Mr A. Pelsler on 5 August 2013, it is unlikely that significant archaeological and palaeontological heritage resources will be impacted by the proposed development.

Despite information contained in the message from Mr A. Pelsler, SAHRA remains unsatisfied with the assessment of the cultural landscape. The submitted report does not contain sufficient information regarding the resources identified as HH02 and GY08 to mitigate their destruction. The information that is provided is unclear and conflicting and much of it is extraneous to the issues at hand. Based on the information currently before SAHRA, SAHRA is unable support the destruction of these resources and as such cannot provide a positive comment for the proposed development. Based on the information available at present regarding these resources, no destruction permit will be granted.

The report completed by Mr S. Miller does not fulfill SAHRA's requirements and additional information is required as previously indicated. This required information has not yet been received.

Also, as previously indicated, permits for exhumation of burials in terms of Section 36 and demolition of structures in terms of Section 34 are subject to the comments made in terms of Section 38(8) of the National Heritage Resources Act. As such, the permitting of grave exhumation cannot be handled separately to other heritage issues as suggested. The permitting of possible grave exhumation may proceed only once section 38(8) of the National Heritage Resources Act has been satisfied.

### Interim Comment:

As such,

1. SAHRA has no objection to the exhumation of GN1 and GN5 subject to the appropriate permits being granted in terms of Section 36 of the National Heritage Resources Act. It is noted that most of the affected burials in GN5 are younger than 60 years and therefore fall outside of the jurisdiction of the NHRA.
2. The report regarding the cultural landscape is unclear and conflicting. The cultural landscape has not been sufficiently described to warrant destruction. As such, it is SAHRA's contention that the mine plan must be



The South African Heritage Resources Agency

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## Wonderfontein Colliery Project

Our Ref: 16/5/1 Wonderfontein Colliery Project

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amended to ensure the protection of the heritage resources identified as HH02 and GY08. If this is not possible, the applicants must liaise with SAHRA APM Unit regarding the reasons for non-compliance with our recommendations.

3. SAHRA requires more information regarding the identified structures before being able to comment on their heritage significance, and as such, their proposed demolition. This additional information must be in the form of an assessment of the significance of the identified structures in their context, and must include adequate recordings of the structures.

Please can you ensure that SAHRA receives the relevant documentation such that SAHRA can issue a Final Comment on this application. This should be done via SAHRIS, the online heritage management system, at [www.sahra.org.za](http://www.sahra.org.za). Should it not be possible to adhere to the above conditions, the applicant must consult with SAHRA regarding the reasons for non-compliance. We look forward to hearing from you.

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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Jenna Lavin  
Heritage Officer  
South African Heritage Resources Agency

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Colette Scheermeyer  
SAHRA Head Archaeologist  
South African Heritage Resources Agency

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### ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/109858>



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