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CaseID: 20953

Date: Wednesday May 10, 2023
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Final Comment

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

Attention: ABS Africa

Illima Coal, Mpumalanga Province

ABS Africa (Pty) Ltd has been appointed by Ilima Coal Company (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the extension of mining activities as part of a Section 102 Amendment of authorised mining activities on the farm Kranspan 49 IT (MP 30/5/1/2/2/10224 MR) to include Farm Vaalbank 212 IR and Farm Roodebloem 51 IT, near Breyten, Mpumalanga Province.

A draft Environmental Impact Assessment (EIA) has been submitted in terms of the National Environmental Management Act, no 107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations that trigger the Mineral and Petroleum Resources Development Act, 2002 (As Amended). The proposed development will include but not limited to surface mining, temporary topsoil and overburden stockpiles, ROM stockpiles, pollution control dams, office containers, ablution facilities, water abstraction boreholes, coal wash plant, crushing and screening, drilling and blasting, pit sampling and trenching.

Prof Marion Bamford and Beyond Heritage were appointed to provide heritage specialist input as part of the EA application in terms of section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Bamford, M. 2022. Palaeontological Impact Assessment for the proposed extension of mining for Kranspan Colliery, southwest of Carolina, Mpumalanga Province

The proposed development area is underlain by highly sensitive rocks of the Vryheid Formation, however, no fossils were identified as part of the site visit. A Fossil Chance Finds protocol should be added to the EMPR.

Van der Walt, J. 2023. Heritage Impact Assessment for the Kranspan Mining Right Extension Project near Carolina, Mpumalanga Province

A total of 61 heritage resources were identified within the development footprint. These include surface scatters of Stone Age lithics, a small shelter, stone cairns, and ruins of low Heritage significance, large



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historical farm structure, large Historical farmsteads and possible rock art of low to medium heritage significance graves of high heritage significance.

Recommendations provided in the report include the following

- All recorded heritage features should be indicated on development plans and construction crews and employees should be made aware of heritage features and the requirements for each type of heritage feature;
- Graves and cemeteries impacted on (KP 14, KP 18, C004, C010B, C010C, C014, C015B, C020, C027, C103 & C105) should be avoided with a 100 m buffer zone (following the SAHRA Burial Grounds and Graves permitting policy 2020) and access for families should be ensured. If this is not possible graves can be relocated adhering to all legal requirements;
- Stone cairns (KP19 & C102) that are of unknown purpose but could potentially be graves should be verified during the social consultation process and could require further testing like GPR and test excavations;
- Historical structures (C003, C006, C007, C010A, C015A, C016, C101) should be assessed by a conservation architect who will make suitable recommendations for mitigation, after which a destruction permit can be applied for from the relevant heritage authority;
- Ruins (KP 12, KP 13, KP 17, KP 21, KP 22, C001, C012, C013, C017, C024, C025) should be monitored during initial mining activities or construction as these could contain unmarked graves;
- The final layout must be subjected to a heritage walkdown prior to development;
- Development of a heritage site development plan that addresses access protocols for safe access to burial sites for family members;
- The presence of additional graves should be confirmed during the social consultation process;
- Implementation of Chance Find Procedure for the project; and
- The study area should be monitored by the ECO during construction.

Recommendations in the EIA include the following:

- For each blast every heritage site within 500 meters of blast must be mapped before the blast and then checked after the blast. If there is any fly rock within 250 meters of such sites, specialist advice must be obtained to curb the risk in future blasts;
- A video recording of each blast must be made to determine the effectiveness of the fly rock control;
- The proposal is to leave remnant pillars around each of these sites that are 50 meters in radius.



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Special care will be needed to minimize the risk of pillar displacement or damage during blasting around the pillar. This will require smaller diameter holes (reduced from 250 mm), long delays, and only one hole firing per delay when blasting closer than 100 m from the pillar. Specialist advice will be needed in working out the mining sequence around the pillars and in designing each blast closer than 100 m from the pillar edges to ensure no pillar displacement occurs and that vibration limits are met.

Final Comment

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMP:

- 38(4)a – The SAHRA has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
 - A report of the final heritage walkdown must be completed by a heritage practitioner and submitted to SAHRA for comment. No construction may occur without comments from SAHRA in this regard;
 - Should the social consultation confirm that stone cairns KP19 & C102 are graves, a 100 m buffer must be adhered around the sites. Should the social consultation process confirm the presence of additional graves, these graves must also be avoided with a 100 m buffer;
 - Should it not be possible to avoid impact to the graves, a social consultation process in terms of Chapter XI of the NHRA regulations must be followed. If grave relocation is found feasible, a permit in terms of Chapter IX of the NHRA regulations must be applied for from SAHRA following a 60 days consultation process outlined in Chapter XI of the same regulations;
 - The assessment and associated mitigation measures provided by a conservation architect of sites C003, C006, C007, C010A, C015A, C016, C101 must be submitted in the form of a report to SAHRA prior to construction. No mitigation or construction around these sites may occur without comment from SAHRA on the report;
 - the recommended heritage site management plan must be submitted to SAHRA for comment prior to construction;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA (Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;

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- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqabutho Madida 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
 - The Final EIA must be submitted to the SAHRIS application for record purposes;
 - The decision regarding the EA application must be submitted to the SAHRIS application for record purposes.

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

Yours faithfully

Natasha Higgitt
Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

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Direct URL to case: <https://sahris.sahra.org.za/node/615519>

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.