



an agency of the  
Department of Arts and Culture

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CaseID: 14624

Date: Friday January 24, 2020

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## Interim Comment

**In terms of Section 38(8), 38(3) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Kangra Coal(Pty) Ltd

Postnet Suite 624  
Private Bag X29  
GALLO MANOR  
2052

**Environmental Impact Assessment Report in support of an Environmental Authorisation and Waste Management Licence Application for the proposed amendment of the Kusipongo Opencast and Underground Development. The approved mining right is approximately 17 000 ha in extent and the proposed project entails opencast mining of 6 mini pits at three locations and underground mining with access via adits. Gert Sibande District Municipality, Mpumalanga Province.**

Kangra Coal (Pty) Ltd appointed EXM Advisory Services (Pty) Ltd to undertake the Environmental Authorisation application to extend coal mining activities for the Kusipongo underground and opencast development in the Kusipongo mining right area located in Gert Sibande District Municipality in the Mpumalanga Province.

The draft EIA has been submitted in terms of the National Environmental Management Act (NEMA) (Act No. 107 of 1998) (as amended), the EIA Regulations 2014 (as amended in 2017) and the National Environmental Management Waste Act (NEMWA) (Act No. 59 of 2008) in respect of listed activities that have been triggered by applications in terms of the Mineral And Petroleum Resources Development Act, 2002 (MPRDA) (as amended).

The total mining right area is 17 986 ha and both the opencast and underground mining operations will be in three locations: Balgarthen, Donkerhoek and Twyfelhoek.

The coal mining will be undertaken for 2 years and then opencast pits will be rehabilitated and closed except for the access point to the underground mine sections. There are three (3) proposed adits to access the underground coal resource, which will be located at each of the proposed opencast mining pits. A historical adit at Balgarthen exists, which is referred to as Balgarthen A. A fourth (4) adit is proposed at the Balgarthen opencast pit, known as the Balgarthen B adit. Existing roads and landfill sites will be used.



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PGS Heritage (Pty) Ltd was appointed to provide heritage specialist input as part of the EA process as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 24(4)b(iii) of NEMA

*Birkholtz, P. 2019. Heritage Impact Assessment for the Proposed Amendment of the Kusipongo Underground and Opencast Project, Mpumalanga Province.*

The field survey resulted in the identification of 19 archaeological and heritage sites which range from Moderate to high Heritage Significance:

- Burial grounds, graves and possible graves – nine sites
- Historic black homesteads where the risk exists for the presence of graves – four sites
- Historic black homesteads with graves and/or possible graves – two sites
- Late Iron Age stonewalled sites – one site
- Recent black homesteads where the risk exists for the presence of graves – one site
- Historic white farmsteads and structures – two sites

If possible, the development footprint should be changed to allow for the in-situ preservation of these sites, if not the following mitigation processes must be undertaken:

- A grave relocation process must be undertaken.
- A detailed social consultation process, at least 60 days in length, comprising the attempted identification of the next-of-kin in order to obtain their consent for the relocation.
- Bilingual site and newspaper notices indicating the intent of the relocation.
- Permits from all the relevant and legally required authorities.
- An exhumation process that keeps the dignity of the remains and family intact.
- An exhumation process that safeguards the legal rights of the families as well as that of the mining company.
- The process must be done by a reputable company well versed in the mitigation of graves

If social consultation does not yield any confident results, the following mitigation measures will be undertaken:

- Test excavations to physically confirm the presence or absence graves.
- If no evidence for graves is found, the site will fall within Outcome 1 as outlined above. This means that

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no further mitigation measures would be required.

- If evidence for graves is found, the site will fall within Outcome 2 as outlined above. This means that a full grave relocation process must be implemented.

Additionally, the following mitigation measures must be undertaken for all these sites:

- All structures and site layouts from each site must be recorded using standard survey methods and/or measured drawings. The end result would be a site layout plan.
- A mitigation report must be compiled for these sites within which all the mitigation measures and its findings will be outlined. The recorded drawings from the previous item must also be included in this mitigation report.
- The completed mitigation report must be submitted to the relevant heritage authorities.

*Butler, E. 2019. PALAEOLOGICAL DESKTOP ASSESSMENT FOR THE PROPOSED AMENDMENT OF THE KUSIPONGO UNDERGROUND AND OPENCAST COAL MINE IN SUPPORT OF AN ENVIRONMENTAL AUTHORIZATION AND WASTE MANAGEMENT LICENCE APPLICATION*

The proposed development footprint is underlain by the Vryheid Formation of the Ecca Group (Karoo Supergroup, Very High Palaeontological Sensitivity), while the central portion of Kusipongo mining right application is underlain by the Volksrust Formation (Ecca Group, High Palaeontological Sensitivity) and unfossiliferous Karoo Dolerite Suite. The report states that a phase 1 field-based assessment will be conducted.

## Interim Comment

The SAHRA Archaeology, Palaeontology, Meteorite (APM) unit accepts and promotes the recommendations provided in the Heritage Impact Assessment (HIA). It is also noted that a field-based Palaeontological Impact Assessment (PIA) will be conducted as part of the application because the study area is located partly on areas of very high and high Palaeontological Significance.

SAHRA awaits the field-based PIA before further comments can be issued.

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

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/531615>  
(DMR, 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.