

Minetek Newcastle Coal Project

Final Comment

IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 41(8) OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)

Attention: Minetek Resources (Pty) Ltd

Proposed open pit and future underground coal mining and associated infrastructure on Portions of the Farms Craig No 2989-HS, Glen Ashton No 8589-HS, Harwarden No 8915-HS, Waterfall No 3335-HS and Dumblane No 3317-HS, west of Newcastle in the KwaZulu-Natal Province. Mining is proposed to include both surface (open pit) and underground mining. The proposed surface mining and associated infrastructure will be limited to portions of the remaining extent and portion 1 of the Farm Craig 2989-HS, Mineral Area 1 on the remainder of portion 4 of the Farm Waterfall 3335HS and Portion 1 of the Farm Waterfall 3335-HS, with the remaining farms earmarked for future underground mining.

The application was received by the Heritage Officers' Committee Meeting on the 24th of May 2023. An EIA, PIA and HIA were completed. With reference to the palaeontological remains, taking into consideration that only one outcrop of shale included preserved plant fossils, only standard chance find protocols will be included in the final comment latter.

With regards to the HIA, 44 cultural heritage sites were found, including mainly graves consisting of random rubble, some with headstones and some without; although there are also more modern graves of norite granite. In the case of graves more specific mitigation and conditions are needed, to ensure that they are protected, especially since explosives are going to be used in close proximity to the graves. With reference to the built environment, which was regarded as being of low value in the HIA, **a permit for proposed demolition will still need to be applied for with reference to any built environment older than 60 years.**

A heritage management plan is necessary to ensure that the graves do not suffer from the explosive work and the buildings do not crack or suffer as a result of the explosives.

The KwaZulu-Natal Amafa and Research Institute therefore has no objection to the proposed development

You are also required to adhere to the below-mentioned standard conditions:

1. The KwaZulu-Natal Amafa and Research Institute should be contacted if any heritage objects are identified during earth-moving activities and all development should cease until further notice.
2. No structures older than sixty years or parts thereof are allowed to be demolished, altered, or extended without a permit from the KwaZulu-Natal Amafa and Research Institute.
3. Under no circumstances may any heritage material be destroyed, inundated, collected, or removed from site unless under direction of the KwaZulu-Natal and Amafa Research Institute and a heritage specialist.
4. Should any remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu-Natal Amafa and Research Institute.
5. No activities are allowed within 50m of a site, which contains rock art.
6. A buffer of 5m around any singular grave.
7. A buffer of 25m around a group of graves, taken from the middle of the group.
8. A buffer of 10m around any building, structure or part thereof, older than 60 years.
9. Sources of all-natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage legislation.

Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu-Natal Amafa and Research Institute Act could lead to legal action being instituted against the applicant.

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

Yours faithfully



HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

Enquiries:

Date: Wednesday May 24, 2023

CaseID: 21267

Our Ref:

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/617066>
(DMR - KZN, Ref: KZN30/5/1/2/2/10122MR)

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 the Institute immediately.
3. The Institute reserves the right to request additional information as required.