



Final Comment

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)

Attention: Zinoju Coal (Pty) Ltd
Zinoju Coal (Pty) Ltd
Commercial Road
Dundee 3000

Phase One Heritage Impact Assessment Of The Proposed Alleen 2 Open Cast Extension, Magdalena Colliery in Dannhauser, KwaZulu-Natal.

Thank you for the invitation to comment on the Basic Assessment Report regarding the proposed Magdalena mining extension (Alleen 2). The extended open cast footprint will be 2350m long and 315m wide extending north from the existing open cast pit with an approximate area of 74 ha. The Frans Prins Heritage Impact Assessment of this proposed mining development yielded a number of heritage resources in the vicinity of the proposed mining area and within the proposed mining area. This renders the area highly sensitive in terms of heritage legislation. The sites that were identified fall into two broad groups; Fifty two (52) graveyards and two (2) Iron Age sites.

The KwaZulu Natal Act protects many categories of graves including graves of victims of conflict. It is noted that grave sites 1 to 3 are 70 m north of the proposed mining area and will therefore not be directly impacted by mining activities. Possibility of inadvertent damage or impact can not be ruled out where mining is concerned. Grave sites 4 to 52 are all within the mining band and therefore are likely to be damaged by mining activities. The extent of the Iron Age sites has not been established therefore it is imperative that a delineation programme be implemented before mining activities commence to avoid possible damage of the sites. A buffer of 25m or more is required around all heritage resources and not the proposed 15m buffer for graves as proposed in the Heritage Report. A 50m buffer around the iron age sites is required as a way of protecting the integrity of this cultural landscape.

All heritage resources are protected in terms of heritage legislation and should therefore not be disturbed, damaged, altered, destroyed, exhumed and relocated without a permit from Amafa. Graves regardless of age are protected in terms of the KwaZulu Natal Heritage Act and therefore permits for exhumation and relocation are required if exhumation is envisaged. The KZN Heritage Acts protects graves that are located outside formal cemeteries regardless of age, that is below and above 60 years. It should be noted that further evaluation is required to establish exact location, extent and number of graves and iron age sites. Further evaluation involving public participation is therefore required. This should establish the affected and concerned parties so that their views and wishes can be incorporated in the mitigation procedures. A grave exhumation and relocation expert should be engaged for dealing with exhumation and relocation issues.





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A Cultural Heritage Management Plan with evidence of public participation should therefore be compiled and submitted to Amafa for comment and approval before the mining activities commence. Development may proceed as planned once the CHMP has been approved by Amafa. Amafa has no objection to the development within limits of the prescribed mitigation measures and recommendations.

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

Conditions:

1. Amafa should be contacted if any heritage objects are identified during earthmoving 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 Amafa.
3. No activities are allowed within 50m of a site, which contains rock art.

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

Yours faithfully

Bernadet Pawandiwa
Senior Heritage Officer
Amafa/Heritage KwaZulu Natal

Annie van de Venter Radford
Deputy Director: Research, Professional Services and Compliance
Amafa/Heritage KwaZulu Natal

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/165997>
(DAEA, Ref: DC25/0018/2013:KZN/EIA/0001359/2013)



**Proposed Alleen 2 Open Cast Extension, Magdalena Colliery in Dannhauser,
KwaZulu-Natal**
Our Ref: SAH14/ 5812



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



Amafa AkwaZulu-Natali
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