



DIGBY WELLS
ENVIRONMENTAL



**Environmental Authorisations,
IWULA and Mining Right
Application for the proposed
Weltevreden Mine, Mpumalanga**

Notification of Intent to Develop

Project Number:

MBU5710

Prepared for:

Mbuyelo Group (Pty) Ltd

July 2019

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Name	Responsibility	Signature	Date
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1 Introduction

Mbuyelo Group (Pty) Ltd (hereinafter Mbuyelo) intend to establish an open-cast coal mine, Weltevreden, within their current Prospecting Right near Belfast in the Mpumalanga Province (“the Project”). Mbuyelo appointed Digby Wells Environmental (hereinafter Digby Wells) to undertake the applications necessary for the Project. These include a Mining Right Application (MRA), Environmental Authorisation (EA) and integrated Water Use Licence application in compliance with the following legislation:

- The Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002);
- The National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA);
- The NEMA Regulations, 2017 (Government Notice Regulations [GN R] 982 as amended by GN R 326);
- The National Water Act, 1998 (Act No. 26 of 1998) (NWA); and
- The National Environmental Management: Waste Act, 2008 (Act No. 56 of 2008) (NEM: WA).

Digby Wells is undertaking a Heritage Resources Management process in support of the EA process required for the aforementioned applications and in compliance with Section 38(8) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA).

This report constitutes the Notification of Intent to Develop (NID), the first deliverable in the HRM process, for submission to the South African Heritage Resources Agency (SAHRA) and the Mpumalanga Provincial Heritage Resources Agency (MPHRA).

2 Project Details

The Project is located in the Emakhazeni Local Municipality (ELM) of the Nkangala District Municipality (NDM), Mpumalanga and is approximately 8 km south of Belfast. Table 1 and Plan 1 present an overview of the geographical setting of the Project. Table 2 presents a summary of the relevant landowner information.

Mbuyelo presently hold a Prospecting Right for several portions of the farm Weltevreden 381 JS, as detailed in Table 1 and Table 2. The R33 road runs north-south through this property, dividing it into an eastern and western portion. Mbuyelo intend for the Project to include only the western portion, which covers approximately 800 ha. Mbuyelo will not conduct any mining activities or establish associated infrastructure on the eastern portion of the Prospecting Right Area.

Table 1: Project Location Details

Name of property	Weltevreden
Street address or location (e.g.: Off R44)	East and west of the R33 south of the N4 and Belfast.
Erf or farm number/s	Farm Weltevreden 381 JS, Portions: 3 Remainder (Rem.), 9, 10, 11 (Rem), 21, 23, 24 and 381 and Remaining Extent (RE).
Coordinates of approximate centre of project area	25°45'56.07"S
	30°01'59.92"E
Town or District	Belfast (approx. 8 km to the north)
Responsible Municipality	ELM in NDM
Extent of property	1 550 ha (Prospecting area)
Maximum extent of proposed development	400 ha
Current use	Agricultural and plantation
Predominant land use/s of surrounding properties	Agricultural, plantation and mining

Table 2: Landowner Details

Name	Property	Notified¹
Mr G. Kleinhas	Portions 21, 23 and 24 and RE of the Farm Weltevreden 381 JS	Pending
Mr S.J. Lundall	Portion 9 of the Farm Weltevreden 381 JS	Pending
Mr R. Mcmurtie	Portion 10 of the Farm Weltevreden 381 JS	Pending

¹ Digby Wells will notify all affected landowners of the proposed Project during the Public Participation Process (PPP), which is required in terms of the EIA process. The PPP has not been undertaken to date.

Name	Property	Notified ¹
Mr W. Pretorius	Portions 3 (Rem.), 11 (Rem.) of the Farm Weltevreden 381 JS	Pending
Mr H. Terblanche	Portion 381 of the Farm Weltevreden 381 JS	Pending

Mbuyelo proposes to establish two open-cast (OC) pits: OC1 and OC2, with an aerial extent of 162 ha and 200 ha respectively. Surface infrastructure will include mine offices and workshops constructed using shipping containers, collectively encompassing a 300 m² (0.03 ha) area. Other surface infrastructure will include the following:

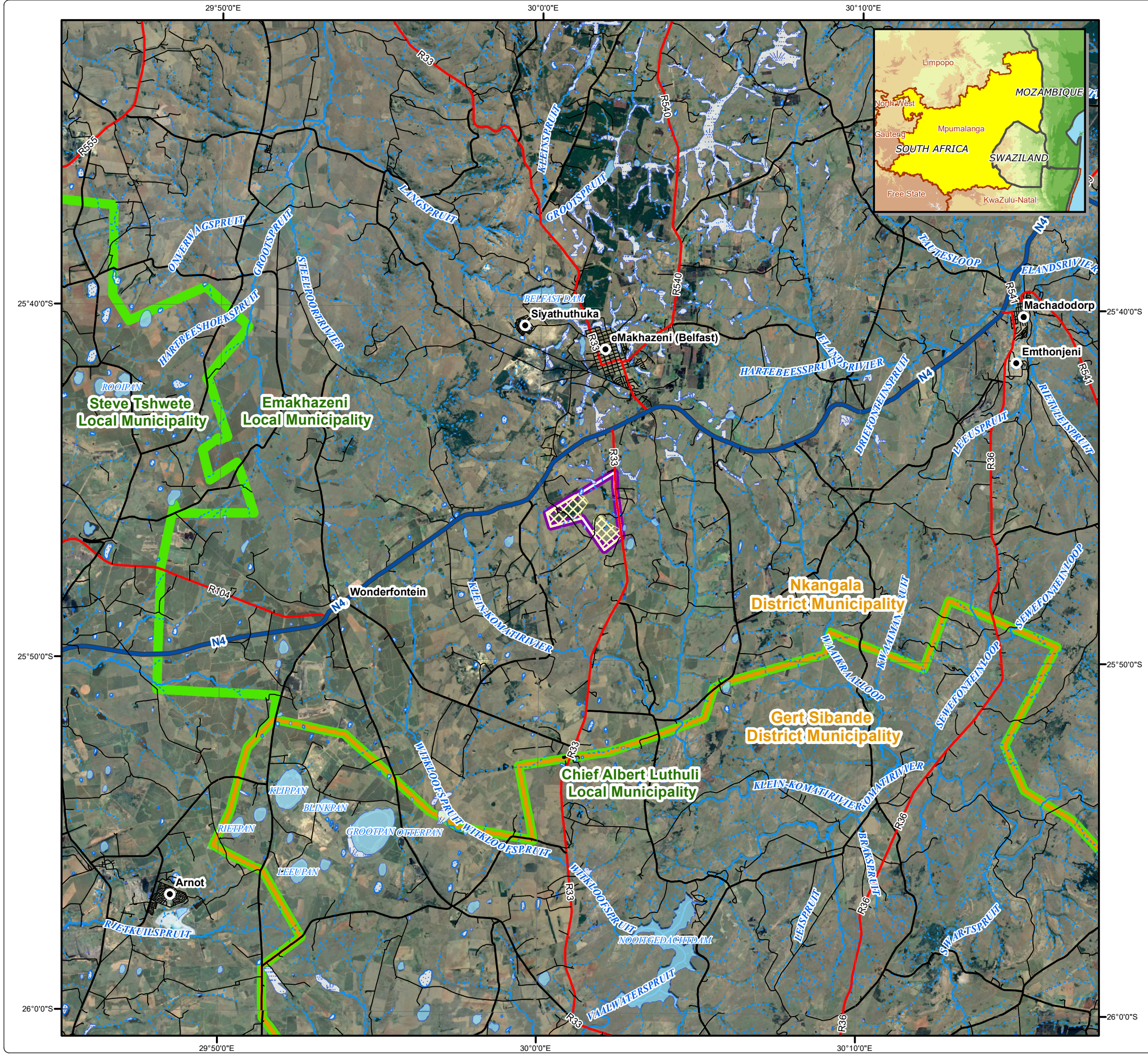
- A crushing and screening plant;
- Lined trenches;
- Overburden dump;
- Pipelines;
- A Pollution Control Dam (PCD);
- A Run of Mine (RoM) pad; and
- Stockpiles.

This surface infrastructure is not expected to exceed 1 ha in area; the exact extent is still to be confirmed. The design layout will be informed by the results of the scoping assessments and will be finalised during the impact assessment phase of the Project.

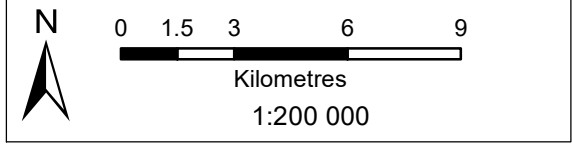
Proposed Weltevreden Mine Regional Setting

Legend

-  Project Area
-  Town/Settlement
-  National Route
-  Main Road
-  Secondary Road
-  Street
-  Dam/Lake
-  Marsh/Swamp
-  Non-perennial pan
-  Non-Perennial River/Stream
-  Perennial River/Stream
-  Pit Extent
-  District Municipality
-  Local Municipality



Projection: Transverse Mercator Ref #: prv.MBU5710.201906.147
 Datum: WGS 1984 Revision Number: 1
 Central Meridian: 29°E Date: 27/06/2019



3 Illustrative Material

Illustrative material is provided in Plan 1 and demonstrates the general Project locality.

4 Assessment Process

Table 3 summarises the impact assessment processes that are currently being conducted for the proposed project.

Table 3: Current Assessment Processes

Legislation (e.g. NEMA, MPRDA, etc.)	Current phase of assessment process (e.g. Scoping, EIA, etc.)	Authorities who has / will receive information	Capacity of Authorities
NEMA	Scoping	Department of Mineral Resources (DMR)	Licencing
NWA		Department of Water and Sanitation (DWS)	Licencing
MPRDA		DMR	Licencing
NHRA		SAHRA	Commenting
		MPHRA	Noting

These assessments are required in terms of legislated and / or regulated activities outlined in Sections 4.1 to 4.3 below.

4.1 NHRA Section 38(1) Activities

The proposed development will include the following activities listed in Section 38(1) of the NHRA, which generally require heritage assessments be undertaken.

Table 4: NHRA Section 38 Triggers

NHRA Section 38 (1) Activities / Triggers			Summary description (e.g. 500 m conveyor belt, open cast pit, etc.)
<input checked="" type="checkbox"/>	a	Any linear development or barrier >300 m	Mbuyelo proposes to install pipelines and haul roads, but the extent of this infrastructure is yet to be determined. It may exceed 300 m.
<input type="checkbox"/>	b	Any bridge or similar structure >50 m	
<input type="checkbox"/>	c	Any development or activity that will change the character of a site:	
<input checked="" type="checkbox"/>	i	≥5 000m ² in extent	Development of a new mine of approximately 400 ha
	ii	Involving ≥3 existing erven/ subdivisions	
	iii	Involving ≥3 or more erven/ divisions consolidated within past 5 years.	
<input type="checkbox"/>	d	Rezoning of a site ≥10 000m ² in extent.	
<input checked="" type="checkbox"/>	e	Other triggers, e.g.: in terms of other legislation, (i.e.: National Environment Management Act, etc.)	NEMA, MPRDA

4.2 EIA Regulations Listed Activities

The proposed development will include the following activities listed in the EIA Regulations, which generally require impact assessments:

Table 5: Identified Listed Activities

Name of Activity	Areal extent of the activity	Listed Activity	Applicable Listing Notice	Waste Management Authorisation
Listing Notice 1				
The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water- (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where- (a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve; or (b) where such development will occur within an urban area.	This will be confirmed during the EIA Process	X-9 (i) and /or (ii)	NEMA GN R 983	-
The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes- (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where- (a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve; or (b) where such development will occur within an urban area.	This will be confirmed during the EIA Process	X-10	NEMA GN R 983	NEM:WA GN R 92: Category B 4 (10)
The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or	To be confirmed in Scoping and EIA Process	12	NEMA GN R 983	-

Name of Activity	Areal extent of the activity	Listed Activity	Applicable Listing Notice	Waste Management Authorisation
<p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs—</p> <ul style="list-style-type: none"> (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — <p>excluding—</p> <ul style="list-style-type: none"> (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared. 				

Name of Activity	Areal extent of the activity	Listed Activity	Applicable Listing Notice	Waste Management Authorisation
The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50,000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014.	To be confirmed in Scoping and EIA Process	X- 13	NEMA GN R 983	-
The development of a road- <ul style="list-style-type: none"> (i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road- <ul style="list-style-type: none"> (a) which is identified and included in activity 27 in Listing Notice 2 of 2014; (b) where the entire road falls within an urban area; or (c) which is 1 kilometre or shorter. 	To be confirmed in Scoping and EIA Process	X-24 (ii)	NEMA GN R 983	-
The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for- <ul style="list-style-type: none"> (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan. 	To be confirmed in Scoping and EIA Process	27	NEMA GN R 983	-

Name of Activity	Areal extent of the activity	Listed Activity	Applicable Listing Notice	Waste Management Authorisation
Listing Notice 2				
The development of facilities or infrastructure for any process or activity which requires a permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent	All water management infrastructure on site. Extent to be determined.	6	NEMA GN R 984	NEM:WA GN R 921: Category B 4 (11)
The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for- (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan	To be confirmed in Scoping and EIA Process	15	NEMA GN R 984	-
Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including- (a) associated infrastructure, structures and earthworks directly related to the extraction of a mineral resource; or (b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing. but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.	To be confirmed in Scoping and EIA Process	17	NEMA GN R 984	-

Name of Activity	Areal extent of the activity	Listed Activity	Applicable Listing Notice	Waste Management Authorisation
<p>The removal and disposal of minerals contemplated in terms of section 20 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including—</p> <p>(a) associated infrastructure, structures and earthworks, directly related to prospecting of a mineral resource ; or</p> <p>(b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing; but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.</p>	Crushing and Screening ore is required as part of the coal mining process.	19	NEMA GN R 984	-
Waste Activities				
<p>Sewage treatment plant, pollution control dam</p> <p><i>The construction of a facility for a waste management activity listed in Category B of this Schedule</i></p>	To be confirmed in Scoping and EIA Process	Category B 4 (10)	NEM:WA GN R 921	-
<p>Stockpiling (rock dumps)</p> <p><i>The establishment or reclamation of a residue stockpile or residue deposit resulting from activities which require a mining right, exploration right or production right in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).</i></p>	To be confirmed in Scoping and EIA Process	Category B 4 (11)	NEM:WA GN R 921	-

Name of Activity	Areal extent of the activity	Listed Activity	Applicable Listing Notice	Waste Management Authorisation
<p>Rock removal (blasting), Stockpiling (rock dumps, soils, ROM, discard dump, pipelines)</p> <p><i>Mining, exploration or production operation, resulting in the development of residue stockpiles and residue deposits"</i></p> <p><i>Prospecting, mining, exploration or production operation, resulting in development of residue stockpiles and residue deposits. The management and control of these wastes must take place in accordance with the regulations for management and control of residue deposits and residue stockpiles or an integrated environmental authorization as provided for in terms of NEMA.</i></p>	<p>To be confirmed in Scoping and EIA Process</p>	<p>Category B; Listing 7, 10, 11</p>	<p>NEM:WA GN R 921</p>	<p>-</p>

4.3 Identified Heritage Resources and Potential Impacts

Certain categories of heritage resource, if existing and identified, generally require heritage assessments to be completed before any development may take place. These categories may be formally or generally protected in terms of the NHRA. Table 6 presents an overview of such heritage resources identified within the Project area.

Table 6: Identified Heritage Resources in terms of Section 3 of the NHRA

	Section	Description
<input checked="" type="checkbox"/>	3(2)(a)	Places, buildings, structures and equipment of cultural significance
		Description of resource: The historical built environment constitutes a significant portion of the cultural landscape. Structures within the Project area may be historical.
		Potential impact: Possible direct impact to historical structures which will need to be assessed in more detail.
<input type="checkbox"/>	3(2)(b)	Places to which oral traditions are attached or which are associated with living heritage
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(c)	Historical settlements and townscapes
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(d)	Landscapes and natural features of cultural significance
		Description of resource: None identified
		Potential impact: None
<input checked="" type="checkbox"/>	3(2)(e)	Geological resources of scientific or cultural importance
		Description of resource: The Project area is underlain by geological strata of very-high palaeontological sensitivity.
		Potential impact: The Project may directly impact fossil heritage. This will be assessed in more detail.
<input checked="" type="checkbox"/>	3(2)(f)	Archaeology and/or palaeontology (Including archaeological sites and material, fossils, rock art, battlefields & wrecks)
		Description of resource: Archaeological resources constitute a minor portion of the cultural landscape. No such heritage resources have been identified within the Project area.
		Potential impact: None identified.



	Section	Description
<input checked="" type="checkbox"/>	3(2)(g)	Graves and burial grounds (e.g. ancestral graves, graves of victims of conflict, historical graves & cemeteries)
		Description of resource: Burial grounds and graves constitute a significant portion of the cultural landscape. There is one known burial ground within the Project area, but there may be more.
		Potential impact Possible direct impact to burial grounds and graves. This will need to be assessed in more detail
<input type="checkbox"/>	3(2)(h)	Other human remains
		Description of resource: None identified Potential impact: None
<input type="checkbox"/>	3(2)(i)	Sites of significance relating to the history of slavery in South Africa
		Description of resource: None identified Potential impact: None
<input type="checkbox"/>	3(2)(j)	Movable objects
		Description of resource: None identified Potential impact: None

5 Recommendation

Table 7 presents a summary and motivation of the specialist recommendations.

Table 7: Specialist Heritage Recommendations

Is a Heritage Impact Assessment required?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If NO, provide motivation:			
Not applicable.			
If YES, provide suggested components that may be required or undertaken during HIA.			
<input checked="" type="checkbox"/>	Archaeology	<input type="checkbox"/>	Architecture
<input checked="" type="checkbox"/>	Built Environment	<input checked="" type="checkbox"/>	Burial Grounds and Graves
<input checked="" type="checkbox"/>	Palaeontology	<input type="checkbox"/>	Public Participation
<input type="checkbox"/>	Townscapes	<input type="checkbox"/>	Visual Impact
<input type="checkbox"/>	Other:		
Recommendation made by:			
Name: Shannon Hardwick		Name: Justin du Piesanie	
Capacity: HRM Consultant		Capacity: Divisional Manager: Social and Heritage Services	